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TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53114]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

NARCOTIC DRUGS AND MARIHUANA

The Secretary of the Treasury, by Treasury Department Order No. 157¹ transferred to the Commissioner of Customs the functions relating to notice and demand to produce order forms for marihuana under section 2593 of the Internal Revenue Code (26 U. S. C. 2593). The said Treasury Department order authorizes the Commissioner of Customs to delegate such functions to subordinates of the Bureau of Customs. Accordingly, § 23.9, Customs Regulations of 1943 (19 CFR 23.9), is hereby amended by deleting the parenthetical matter at the end of paragraph (l) and by adding new paragraph (m) reading as follows:

§ 23.9 Narcotic drugs and marihuana.

(m) The functions relating to the notice and demand to produce order forms for marihuana under section 2593 of the Internal Revenue Code (26 U. S. C. 2593) may be performed by collectors of customs, supervising customs agents, and other officers of the customs.

(R. S. 161, secs. 584, 624, 46 Stat. 748, as amended, 759; 5 U. S. C. 22, 19 U. S. C. 1584, 1624. Reorganization Plan No. 28 of 1950; 3 CFR 1950 Supp., Ch. III)

[SEAL]

FRANK DOW,
Commissioner of Customs.

Approved: October 1, 1952.

E. H. FOLEY,

Acting Secretary of the Treasury.

[F. R. Doc. 52-10948; Filed, Oct. 9, 1952;
8:47 a. m.]

¹ See F. R. Doc. 52-10955, Department of the Treasury, Office of the Secretary, notices section, *infra*.

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

COMBAT DUTY PAY

A new § 536.60 is added to Part 536, as follows:

§ 536.60 *Claims for combat duty pay under Title VII, Public Law 488, 82d Congress, by former members now separated, retired, or deceased.* Individuals who are now separated or retired and who are entitled to combat pay, not previously paid, will forward their claims to The Adjutant General, Department of the Army, Washington 25, D. C., on DD Form 667. The Adjutant General will make a determination of facts on the form and forward same with any related documents to the Military Pay Division, Finance Center, U. S. Army, Indianapolis 49, Indiana, for processing for payment. Claims on behalf of deceased members, incompetent members, or members who for any reason are unable to submit their own claims, may be submitted by the legal representative or a member of the immediate family of such person. The claim should be accompanied by a letter explaining the reason the former member is unable to submit his own claim, and in the case of deceased veterans the letter should include the name and address of the veteran's next of kin in the following order: Wife, if no wife, children, if no wife or child, parents. If there are no living relatives of the foregoing categories, then the names and addresses of the veteran's brothers and sisters should be stated.

[AR 35-1270, August 13, 1952] (Pub. Law 488, 82d Cong.)

[SEAL]

WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-10967; Filed, Oct. 9, 1952;
8:46 a. m.]

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TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Supplementary Regulation 63, Amdt. 5 to Area Milk Price Regulation 12]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 12—SAN FRANCISCO DISTRICT, CALIFORNIA

PRESERVATION OF DIFFERENTIAL BETWEEN PRICES FOR STANDARD MILK ESTABLISHED ACCORDING TO STATE MINIMUM PRICES AND PRICES FOR MILK OTHER THAN STANDARD MILK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), the Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Delegation of Authority No. 41 of the Director of Price Stabilization (16 F. R. 12679) this Amendment 5 to Area Milk Price Regulation 12 pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

Quoted in the Statement of Considerations for Amendment 3 to AMPR 12 are certain provisions in the Defense Production Act Amendments of 1952 pertaining to the relationship between OPS ceiling prices and minimum prices established by a State regulatory body. Amendment 3 added subsection (c) to Section 1 of AMPR 12 to eliminate any conflict between OPS ceiling prices established by AMPR 12 and minimum prices established by the State of California Bureau of Milk Control.

Information in the hands of the Regional Director establishes that increases in State minimum prices which the State of California Bureau of Milk Control has effected have been within the limits of allowable cost increases as prescribed by Supplementary Regulation 63. Adjustments on margins of fluid milk items other than standard milk have therefore been appropriate. This amendment makes it permissible that State minimum prices for standard milk be used as the reference point for the computation of ceiling prices on other kinds of fluid milk. Such computation is made on the basis of each seller's base period differentials above or below the level of standard whole milk prices. If any future State ordered increase in minimum prices does not fall within Supplementary Regulation 63 criteria, this provision will be revoked and appropriate action will be taken to maintain proper ceiling levels on kinds of fluid milk other than standard.

The functions and territorial coverage of the San Francisco District Office have recently been taken over by the San Francisco Regional Office. Accordingly, AMPR 12 is further amended by substituting a reference to the San Francisco Regional Office in each place where a reference to the San Francisco District Office previously appeared.

In the judgment of the Regional Director the provisions of this amendment to Area Milk Price Regulation No. 12 in Region XII are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951, and the Defense Production Act Amendments of 1952.

The Regional Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to all relevant factors of general applicability. The Director consulted the industry involved to the fullest extent practicable prior to the issuance of this amendment to Area Milk Price Regulation No. 12.

AMENDATORY PROVISIONS

Area Milk Price Regulation 12 is amended in the following respects:

1. Subsection (c) of Section 1, as added to the regulation by Amendment 3, is amended by adding the following sentence: "The prices for standard milk

so determined shall be the base prices for the computation, pursuant to section 3 of the appendices of this regulation, of prices for standard milk sold in remote areas and of prices for milk other than standard (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk), and, further, shall be the base prices for calculation, pursuant to section 1 (a) (2) above, of prices for sales to types of purchasers other than those specified in the appendices of this regulation."

2. Wherever in the text of the regulatory provisions the phrase "San Francisco District Office" appears there is substituted therefor the phrase "San Francisco Regional Office."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 5 to Area Milk Price Regulation 12 under Supplementary Regulation 63 to the General Ceiling Price Regulation is effective as of October 1, 1952.

JAMES P. KEENE, JR.,
Acting Regional Director,
San Francisco Regional Office.

OCTOBER 9, 1952.

[F. R. Doc. 52-11049; Filed, Oct. 9, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Amdt. 2 to Area Milk Price Regulation 14]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 14—SACRAMENTO DISTRICT, CALIFORNIA

ELIMINATION OF CONFLICT WITH STATE MINIMUM PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Area Milk Price Regulation 14 pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 106 (b) of the Defense Production Act Amendments of 1952 amends paragraph 3 of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, so as to provide that "Where a State regulatory body is authorized to establish minimum and/or maximum prices for sales of fluid milk, ceiling prices established for such sales under this title shall (1) not be less than the minimum prices, or (2) be equal to the maximum prices, established by such regulatory body, as the case may be." Section 111 of the Defense Production Act Amendments of 1952 adds to section 402 of the Defense Production Act of 1950, as amended, a new subsection providing "(1) No rule, regulation, order, or amendment thereto issued under this title shall fix a ceiling on the price paid or received on the sale or delivery of any material in any State below the minimum sales price of such material fixed by the State law (other than any so-

called 'fair trade law') now in effect, or by regulation issued pursuant to such law." This Amendment 2 to AMPR 14 eliminates any conflict between OPS ceiling prices established by AMPR 14 and minimum prices established by the State of California Bureau of Milk Control.

The State of California Bureau of Milk Control has issued orders effective October 1, 1952, which increase processors' and distributors' margins on whole milk in the marketing areas covered by AMPR 14. Information in the hands of the Regional Director establishes that these increases are within the limits of allowable cost increases as prescribed by Supplementary Regulation 63. Adjustments on margins of fluid milk items other than standard milk are, therefore, appropriate. This amendment makes it permissible that State minimum prices for standard milk be used as the reference point for the computation of ceiling prices on other kinds of fluid milk. Such computation is made on the basis of each seller's base period differentials above or below the level of standard whole milk prices. If any future State ordered increase in minimum prices does not fall within Supplementary Regulation 63 criteria, this provision will be revoked and appropriate action will be taken to maintain proper ceiling levels on kinds of fluid milk other than standard.

The functions and territorial coverage of the Sacramento District Office have recently been taken over by the San Francisco Regional Office. Accordingly, AMPR 14 is further amended by substituting a reference to the San Francisco Regional Office in each place where a reference to the Sacramento District Office previously appeared.

The Sutter-Yuba Marketing Area, which originally comprised the California counties of Sutter and Yuba, has been extended by the California State Bureau of Milk Control to include the county of Colusa. It is deemed appropriate that OPS Marketing Areas coincide with marketing areas established by the State Bureau of Milk Control unless violation of Supplementary Regulation 63 criteria results. No such violation results from the inclusion of Colusa County in the Sutter-Yuba Marketing Area. Appendix II of AMPR 14 is therefore amended to indicate that the Sutter-Yuba Marketing Area comprises the counties of Sutter, Yuba and Colusa, California.

The California State Bureau of Milk Control has issued State marketing orders establishing minimum prices for standard milk in the Calaveras-Tuolumne Marketing Area and the Amador-El Dorado Marketing Area. These areas had not previously been covered by either State minimum price orders nor OPS area milk price regulations. Information in the hands of the Regional Director establishes that the minimum prices set by the State for these areas are within the limits of allowable increases over GCPR prices as prescribed by Supplementary Regulation 63. Corresponding adjustments of prices for fluid milk items other than standard milk are also within the criteria of Supplementary

Regulation 63. Therefore, Appendix V covering Calaveras-Tuolumne Marketing Area and Appendix VI covering the Amador-El Dorado Marketing Area are added to the regulation.

In the case of the Shasta-Tehama Marketing Area, the currently ordered increase in processors' and distributors' margins is the first to be issued by the State Bureau of Milk Control since the General Ceiling Price Regulation freeze period. Appendix VII is added to give recognition to the increased margins required by the State Bureau of Milk Control for the area. Such increases are within Supplementary Regulation 63 limitations.

In the judgment of the Regional Director the provisions of this amendment to Area Milk Price Regulation No. 14 in Region XII are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951, and the Defense Production Act Amendments of 1952.

The Regional Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to all relevant factors of general applicability. The Director consulted the industry involved to the fullest extent practicable prior to the issuance of this amendment to Area Milk Price Regulation No. 14.

AMENDATORY PROVISIONS

Area Milk Price Regulation 14 is amended in the following respects:

1. Section 1 is amended by adding the following subsection thereto:

(c) If a ceiling price otherwise established by this regulation is lower than an applicable corresponding minimum price established by the State of California Bureau of Milk Control, then the ceiling price shall be the minimum price established by the State of California Bureau of Milk Control. The prices for standard milk so determined shall be the base prices for the computation, pursuant to section 3 of the appendices of this regulation, of prices for standard milk sold in remote areas and of prices for milk other than standard (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk), and, further, shall be the base prices for calculation, pursuant to section 1 (a) (2) above, of prices for sales to types of purchasers other than those specified in the appendices of this regulation.

2. Wherever in the text of the regulatory provisions the phrase "Sacramento District Office" appears there is substituted therefor the phrase "San Francisco Regional Office"; and in section 3 (a), for the parenthetical sentence "(The 'Sacramento District Office', as used in this regulation, means the Sacramento District Office of the Office of Price Stabilization located at 1330 Jay Street, Sacramento, California.)" there is substituted the parenthetical sentence "(The 'San Francisco Regional Office',

as used in this regulation, means the San Francisco Regional Office of the Office of Price Stabilization located at 870 Market Street, San Francisco, California.)"

3. The introductory statement to Appendix II—Sutter-Yuba Marketing Area, is amended to read: "This appendix covers milk and cream (including sour cream) in the Sutter-Yuba Marketing Area, comprising the counties of Sutter, Yuba, and Colusa, California."

4. Appendix V—Calaveras-Tuolumne Marketing Area, Appendix VI—Amador-El Dorado Marketing Area, and Appendix VII—Shasta-Tehama Marketing Area, which appear hereafter, are added to the regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 2 to Area Milk Price Regulation 14 under Supplementary Regulation 63 to the General Ceiling Price Regulation is effective as of October 1, 1952.

JAMES P. KEENE, JR.
Acting Regional Director,
San Francisco Regional Office.

OCTOBER 9, 1952.

APPENDIX V—CALAVERAS-TUOLUMNE MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Calaveras-Tuolumne Marketing Area.

1. For standard milk (including homogenized) ceiling prices are as follows:

Size of container	Wholesale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered
Bulk milk, per gallon.....	\$0.72		
Gallon bottle.....	.80	\$0.90	\$0.90
Half-gallon container.....	.40	.45	.45
Quart container.....	.20	.225	.225
Pint container.....	.12	.14	.14
Third-quart or three-quarter-pint container.....	.08		
Half-pint container.....	.067		

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon bulk	1/2 gallon	Quart	Pint	1/4 pint
Half and half.....	\$0.24	\$0.12	\$0.06	\$0.03	\$0.015
Table cream.....	.40	.20	.10	.05	.025
All-purpose cream.....	.64	.32	.16	.08	.04
Whipping cream.....	.72	.36	.18	.09	.045
Other retail sales of standard milk (including homogenized).....		.05	.025		

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch.

3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 20 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses.

For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.78 per hundredweight of milk containing 3.8 percent milk fat for Class I fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in Provision 1 of Section A of Article I, of Calaveras-Tuolumne Marketing Area Order No. 2 issued by the State of California Bureau of Milk Control effective October 1, 1952.

5. "Calaveras-Tuolumne Marketing Area" means that area as defined in said Calaveras-Tuolumne Order No. 2.

APPENDIX VI—AMADOR-EL DORADO MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Amador-El Dorado Marketing Area.

1. For standard milk (including homogenized) ceiling prices are as follows:

Size of container	Whole-sale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered
Bulk milk, per gallon	\$0.72		
Gallon bottle	.80	\$0.90	\$0.90
Half-gallon container	.40	.45	.45
Quart container	.20	.225	.225
Pint container	.115	.14	.14
Third-quart or three quarter-pint container	.082		
Half-pint container	.066		

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon bulk	½ gallon	Quart	Pint	½ pint
Half and half	\$0.24	\$0.12	\$0.06	\$0.03	\$0.015
Table cream	.40	.20	.10	.05	.025
All-purpose cream	.64	.32	.16	.08	.04
Whipping cream	.72	.36	.18	.09	.045
Other retail sales of standard milk (including homogenized)		.05	.025		

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch.

3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 20 cents per quart or the retail home-delivered base period price was in excess of 20 cents per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses.

For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of

milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.63 per hundredweight of milk containing 3.8 percent milk fat for Class I fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in Provision 1 of Section A of Article I, of Amador-El Dorado Order No. 2 issued by the State of California Bureau of Milk Control effective October 1, 1952.

5. "Amador-El Dorado Marketing Area" means that area as defined in said Amador-El Dorado Order No. 2.

APPENDIX VII—SHASTA-TEHAMA MARKETING AREA

This appendix covers milk and cream (excluding sour cream) in the Shasta-Tehama Marketing Area.

1. For standard milk (including homogenized) ceiling prices are as follows:

Size of container	Whole-sale, f. o. b. purchaser's business location	Retail store, carry-out	Retail, home-delivered
Bulk milk, per gallon	\$0.74		
Gallon bottle	.80	\$0.90	\$0.90
Half-gallon container	.40	.45	.45
Quart container	.20	.225	.225
Pint container	.12	.14	.14
Third-quart or three quarter-pint container	.084		
Half-pint container	.067		

2. For the following items the ceiling price is the base period price plus the following additions:

Type of sale	Container size				
	Per gallon bulk	½ gallon	Quart	Pint	½ pint
Half and half	\$0.16	\$0.08	\$0.04	\$0.02	\$0.01
Table cream	.24	.12	.06	.03	.015
All-purpose cream	.40	.20	.10	.05	.025
Whipping cream	.40	.20	.10	.05	.025
Other retail sales of standard milk (including homogenized)		.05	.025		

The "other retail sales" referred to above are retail sales f. o. b. distributor's processing plant or producer's ranch.

3. For standard milk (including homogenized) sold in remote areas where the retail store carry-out base period price was in excess of 20¢ per quart or the retail home-delivered base period price was in excess of 20¢ per quart, the ceiling price for all kinds of sales shall be the applicable price provided in subdivision 1, above, plus an amount proportionate (according to container size) to either of such excesses.

For other kinds of fluid milk (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk) the ceiling price shall be the ceiling price as hereinbefore provided for standard milk in the same sized container plus or minus, as the case may be, the dollars-and-cents difference between the seller's base period prices for such kind of milk and standard milk. Ceiling prices so determined under this subdivision shall be reported in accordance with section 3 of this regulation.

4. The prices herein provided are based upon a producer paying price of \$5.72 per hundredweight of milk containing 3.8 percent milk fat for Class I fluid milk purchased f. o. b. processor's plant, subject to the de-

ductions and additions set forth in Provision 1 of Section A of Article I, of Shasta-Tehama Order No. 22 issued by the State of California Bureau of Milk Control effective February 1, 1952.

5. "Shasta-Tehama Marketing Area" means that area as defined in said Shasta-Tehama Order No. 22.

[F. R. Doc. 52-11050; Filed, Oct. 9, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Amdt. 3 to Area Milk Price Regulation 15]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 15—FRESNO DISTRICT, CALIFORNIA ELIMINATION OF CONFLICT WITH STATE MINIMUM PRICES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Area Milk Price Regulation 15 pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 106 (b) of the Defense Production Act Amendments of 1952 amends paragraph 3 of subsection (d) of section 402 of the Defense Production Act of 1950, as amended, so as to provide that "Where a State regulatory body is authorized to establish minimum and/or maximum prices for sales of fluid milk, ceiling prices established for such sales under this title shall (1) not be less than the minimum prices, or (2) be equal to the maximum prices, established by such regulatory body, as the case may be." Section 111 of the Defense Production Act Amendments of 1952 adds to section 402 of the Defense Production Act of 1950, as amended, a new subsection providing "(1) No rule, regulation, order, or amendment thereto issued under this title shall fix a ceiling on the price paid or received on the sale or delivery of any material in any State below the minimum sales price of such material fixed by the State law (other than any so-called 'fair trade law') now in effect, or by regulation issued pursuant to such law." This Amendment 3 to AMPR 15 eliminates any conflict between OPS ceiling prices established by AMPR 15 and minimum prices established by the State of California Bureau of Milk Control.

The State of California Bureau of Milk Control has issued orders effective October 1, 1952, which increase processors' and distributors' margins on whole milk in both the Fresno County Marketing Area and the Madera-Merced Marketing Area. Information in the hands of the Regional Director establishes that these increases are within the limits of allowable cost increases as prescribed by Supplementary Regulation 63. Adjustments or margins of fluid milk items other than standard milk are, therefore appropriate. This amendment makes it permissible that State minimum prices

be used as the reference point for the computation of ceiling prices on other kinds of fluid milk. Such computation is made on the basis of each seller's base period differentials above or below the level of standard whole milk prices. If any future State ordered increase in minimum prices does not fall within Supplementary Regulation 63 criteria, this provision will be revoked and appropriate action will be taken to maintain proper ceiling levels on kinds of fluid milk other than standard.

The functions and territorial coverage of the Fresno District Office have recently been taken over by the San Francisco Regional Office. Accordingly, AMPR 15 is further amended by substituting a reference to the San Francisco Regional Office in each place where a reference to the Fresno District Office previously appeared.

In the judgment of the Regional Director the provisions of this amendment to Area Milk Price Regulation No. 15 in Region XII are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951, and the Defense Production Act Amendments of 1952.

The Regional Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to all relevant factors of general applicability. The Director consulted the industry involved to the fullest extent practicable prior to the issuance of this amendment to Area Milk Price Regulation No. 15.

AMENDATORY PROVISIONS

Area Milk Price Regulation 15 is amended in the following respects:

1. Section 1 is amended by adding the following subsection thereto:

(c) If a ceiling price otherwise established by this regulation is lower than an applicable corresponding minimum price established by the State of California Bureau of Milk Control, then the ceiling price shall be the minimum price established by the State of California Bureau of Milk Control. The prices for standard milk so determined shall be the base prices for the computation, pursuant to section 3 of the appendices of this regulation, of prices for standard milk sold in remote areas and of prices for milk other than standard (such as buttermilk, chocolate drink, non-fat milk, and special grades of milk), and, further, shall be the base prices for calculation, pursuant to section 1 (a) (2) above, of prices for sales to types of purchasers other than those specified in the appendices of this regulation.

2. Wherever in the text of the regulatory provisions of this regulation the phrase "Fresno District Office" appears there is substituted therefor the phrase "San Francisco Regional Office"; and in section 3 (a) for the parenthetical sentence "(The 'Fresno District Office', as

used in this regulation, means the Fresno District Office of the Office of Price Stabilization located at 1550 Van Ness Avenue, Fresno 21, California.)" there is substituted the parenthetical sentence "(The 'San Francisco Regional Office', as used in this regulation, means the San Francisco Regional Office of the Office of Price Stabilization located at 870 Market Street, San Francisco, California.)"

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 3 to Area Milk Price Regulation 15 under Supplementary Regulation 63 to the General Ceiling Price Regulation is effective as of October 1, 1952.

JAMES P. KEENE, Jr.,
Acting Regional Director,
San Francisco Regional Office.

OCTOBER 9, 1952.

[F. R. Doc. 52-11051; Filed, Oct. 9, 1952;
4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[Salary Procedural Regulation 2, Revised]

SPR 2—PROCEDURAL REQUIREMENTS REGARDING ENFORCEMENT OF GENERAL SALARY STABILIZATION REGULATIONS, GENERAL SALARY ORDERS, AND DETERMINATIONS

PURPOSE

This regulation sets forth the procedures with respect to the enforcement of General Salary Stabilization Regulations and General Salary Orders issued by the Salary Stabilization Board, and of determinations of the Office of Salary Stabilization.

REGULATORY PROVISIONS

Sec.

1. Definitions.
2. Investigations, inspection authorizations and subpoenas.
3. Preliminary letter, conferences and settlements.
4. Disallowance sanctions.
5. Enforcement by disallowance proceedings.
6. Criminal penalties for contraventions.
7. Injunctions and orders enforcing compliance.
8. Effective date.

AUTHORITY: Sections 1 to 8 issued under section 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Definitions. (a) "Act" means the Defense Production Act of 1950 and any amendments thereto.

(b) "Commission" means the National Enforcement Commission within the Economic Stabilization Agency. (Economic Stabilization Agency General Order No. 18, 17 F. R. 6925).

(c) "Board" means the Salary Stabilization Board.

(d) "Office" means the Office of Salary Stabilization (which includes the National Office in Washington, D. C., and the Regional Offices).

(e) "Chairman of the Board" as used in this regulation means the Chairman of the Salary Stabilization Board and the head of the Office.

(f) "Vice Chairman" as used in this regulation means the Vice Chairman of the Salary Stabilization Board, who in the absence of the Chairman of the Board is the head of the Office.

(g) "Executive Director" means the Executive Director of the Office.

(h) "Chief Counsel" means the Chief Counsel of the Office.

(i) "Regulations" and "Orders" mean the General Salary Stabilization Regulations and General Salary Orders of the Board.

(j) "Determination" means the written decision of the Office upon an application for the approval of a proposed adjustment in the salary or other compensation of one or more employees subject to the jurisdiction of the Board.

(k) "Contravention" means a violation of the act or of any regulation, order or determination issued thereunder.

(l) "Respondent" means a person named in a complaint as an alleged contravener.

(m) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

SEC. 2. Investigations, inspection authorizations and subpoenas. (a) **Investigations.** (1) The Chairman of the Board, the Vice Chairman, the Executive Director, the Chief Counsel, each Regional Director within his area, and any other person designated by the Chairman of the Board is authorized to make, or cause to be made, such investigations, inspections or inquiries as may be necessary or appropriate, in their discretion, relating to the enforcement of the act and the regulations, orders or determinations issued thereunder. No investigation, inspection or inquiry shall be made until the scope and purpose thereof have been defined by the Chairman of the Board or other competent authority designated by the Chairman of the Board and it is assured that no adequate and authoritative data are available from any Federal or other responsible agency.

(b) **Inspection authorizations and subpoenas.** (1) The Chairman of the Board, the Vice Chairman, the Executive Director, the Chief Counsel, or any other person designated by the Chairman of the Board, may issue inspection authorizations and subpoenas in connection with any investigation relating to enforcement of the act and regulations, orders and determinations issued thereunder. No inspection authorization or subpoena shall be issued until the scope and purpose thereof have been defined by the Chairman of the Board or other competent authority designated by the Chairman of the Board and it is assured that no adequate and authoritative data

are available from any Federal or other responsible agency.

Sec. 3. Preliminary letter, conferences and settlements. (a) Whenever there appears to be a contravention, a preliminary letter shall be forwarded to the alleged contravener briefly setting forth the nature of the alleged contravention.

(b) Within ten (10) days from the date of receipt of the letter by the alleged contravener, the alleged contravener may request a conference concerning the alleged contravention.

(c) In the event that a conference is requested, the Office shall notify the alleged contravener of the time and place of such conference. At such conference the alleged contravener may appear in person or by attorney and may present appropriate information and arguments.

(d) The alleged contravener may submit a proposal for settlement at any time. Every settlement shall provide assurance of prompt and full compliance thereafter with the act and regulations and orders issued thereunder. All settlements shall be subject to approval by the Chief Counsel and shall be submitted to the Commission for its approval or disapproval in conformity with the provisions of section 8.1 of General Procedural Regulation No. 1, Revised (17 F. R. 7737) and any other applicable regulations issued by the Economic Stabilization Agency.

Sec. 4. Disallowance sanctions. (a) Whenever any salary or other compensation has been paid in contravention of the regulations and orders issued pursuant to the act, or determinations made thereunder, the salary or other compensation payment shall be disallowed for one or more of the purposes of:

(1) Calculating deductions or the basis for determining gain under the Revenue Laws of the United States;

(2) Determining costs and expenses under any contract made by or on behalf of the United States, either directly or indirectly;

(3) Establishing any maximum price pursuant to the act; and

(4) Determining the costs or expenses of any person for the purpose of any other law or regulation.

(b) The amount paid or accrued in violation of the Act or regulations, orders or determinations made thereunder which may be disallowed and disregarded shall be the entire amount of salary or other compensation paid or accrued and not merely the amount paid or accrued in excess of the legal maximum of such salary or other compensation; provided that where extenuating and mitigating circumstances exist, of the character described in paragraph (c) of this section, less than the entire amount of such payments or accruals may be disregarded and disallowed; provided further that the general policy shall be to disallow and disregard an amount at least equal to that portion of any payment or accrual in excess of whatever payment was permissible under the governing regulation, order, or determination.

(c) Extenuating and mitigating circumstances which may be taken into account include:

(1) Prompt and voluntary disclosure of possible violation;

(2) Prompt and full cooperation with investigating and other officials;

(3) Prompt remedying of violation of applicable rules, regulations, or orders;

(4) The prompt adoption of adequate measures to prevent repetition of any violation of applicable rules, regulations, or orders;

(5) Inadvertent rather than intentional and wilful violations;

(6) Such other factors as may be appropriate in the particular case.

Sec. 5. Enforcement by disallowance proceedings.—(a) *Disallowance proceedings.* Whenever it has been determined that any salary or other compensation has been paid in contravention of the regulations and orders issued under the act, the extent to which any such salary or other compensation payment shall be disregarded by the executive departments and other governmental agencies in determining the costs or expenses of any employer for the purposes of any other law or regulation shall be prescribed in accordance with the provisions of section 405 (b) of the act. Any salary or other compensation paid in contravention of the act, regulations, orders, and determinations issued thereunder may be disallowed in whole or in part for one or more of the purposes set forth in section 4 (a).

(b) *Institution of disallowance proceedings.* Whenever the Office has reason to believe that any person has paid salaries or other compensation in contravention of the act or regulations and orders issued pursuant thereto, or determinations made thereunder, it shall institute disallowance proceedings to ascertain whether a contravention has occurred, and to determine the amount to be certified to and disregarded by the executive departments and other government agencies.

(c) *Parties to disallowance proceedings.* Within the meaning of this regulation the term "parties" shall mean the Chief Counsel, to whom a delegation of authority for this purpose is hereby made, or the representative of the Chief Counsel, the person alleged to have contravened the act or regulations and orders issued pursuant thereto, or determinations made thereunder, and to the extent permitted the person intervening in any enforcement proceedings.

(d) *Complaint and answer.* (1) Whenever it appears that any person has contravened the act or regulations and orders issued pursuant thereto, or determinations made thereunder and the matter is not disposed of by settlement under section 3 (d) of this regulation, the Chief Counsel shall issue a complaint and cause the original thereof and one copy to be filed with the Commission and copies to be served upon all the parties.

(2) The complaint shall set forth (i) a concise statement of the nature of the alleged contravention and the facts alleged to constitute the contravention, (ii) the sanctions applicable thereto, (iii) that the respondent has the right to submit a written answer, together with any pertinent documents in support thereof, (iv) that the respondent has the right to a hearing before the

Commission as provided in section 5 (e) hereof, and (v) that where no answer to the complaint is filed the right to a hearing shall be deemed to have been waived.

(e) *Hearings.* (1) The Commission is hereby authorized, designated, and appointed to hold and conduct all hearings that may be required upon any complaint issued by the Office and a delegation of authority is hereby made authorizing the Commission to perform this function and all other functions with respect to determinations as to violations or contraventions of the act, or any regulation or order or directive heretofore or hereafter promulgated thereunder, and the certification and transmission of such determinations to the same extent that the Commission is authorized to perform said functions by Economic Stabilization Agency General Order No. 18 (17 F. R. 6925).

(2) In all proceedings before the Commission the parties shall be governed by the procedures set forth in the applicable provisions of General Procedural Regulation No. 1, Revised (17 F. R. 7737) and any other regulations issued by the Economic Stabilization Agency.

Sec. 6. Criminal penalties for contraventions. (a) Whenever the Office has reason to believe that any person has wilfully violated any provision of section 405, Title IV, of the act or any regulation or order issued pursuant to Title VII of the act, it may certify the facts to the Attorney General who may, in his discretion, cause appropriate proceedings to be brought. Any person who wilfully pays or receives any salary or other compensation in contravention of the act or any regulation or order issued pursuant thereto shall upon conviction thereof, be subject to a fine or to imprisonment or both as set forth in section 409 of the act.

(b) Whenever the Office believes that any person has wilfully performed any act prohibited or wilfully fails to perform any act required by the provisions of section 705, Title VII, of the act or any rule, regulation or order issued pursuant thereto concerning testimony, inspection or the production of books, records or other documentary evidence, it may certify the facts to the Attorney General who may, in his discretion, cause appropriate proceedings to be brought. Any person who wilfully performs any act prohibited or wilfully fails to perform any act required by the provisions of section 705, Title VII, of the act, or any rule, regulation or order issued pursuant thereto shall, upon conviction thereof, be subject to a fine or imprisonment, or both, as set forth in section 705.

Sec. 7. Injunctions and orders enforcing compliance. (a) Whenever any person has engaged in or is about to engage in any acts or practices which constitute or will constitute a violation of the act or a contravention of any of the regulations or orders issued pursuant to Title IV or Title VII of the act, application may be made to any district court of the United States or any United States court of any territory or other place subject to the jurisdiction of the United States, for an order enjoining such acts or prac-

tices or for an order enforcing compliance with the regulations and orders in question.

(b) Whenever the Office has reason to believe that any person has paid salaries or other compensation in contravention of the act or the regulations, orders and determinations made thereunder, it may certify the facts to the Attorney General who may, in his discretion, seek an order enjoining such acts or practices or an order enforcing compliance with the regulations, orders and determinations in question.

Sec. 8. Effective date. This regulation is effective upon publication in the Federal Register.

NOTE: Requirements of this regulation with respect to information to be supplied in connection with answers, petitions, etc., have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JUSTIN MILLER,
Chairman.

[F. R. Doc. 52-11053; Filed, Oct. 9, 1952;
11:44 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Amdt.]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

Housing and Home Finance Agency Regulation CR 3 (originally issued at 16 F. R. 3835, May 2, 1951, and last amended at 17 F. R. 6585, July 18, 1952) issued pursuant to sections 601 through 605 and section 704 of Pub. Law 775, 81st Cong. (64 Stat. 813, 814, 815, 816), as amended, sections 501, 502, and 902 of Executive Order 10161, September 9, 1950 (15 F. R. 6106), sections 101, 102 and 611 of Pub. Law 139, 82d Congress (65 Stat. 392), paragraph 3 of Executive Order 10296, October 2, 1951 (16 F. R. 10103), and the approval and authorization of the Board of Governors of the Federal Reserve System of HHFA Regulation CR 1 (16 F. R. 3834), May 2, 1951; is hereby amended as follows:

1. Section 1 entitled *Statement of purpose* is amended to read as follows:

SECTION 1. Statement of purpose. In order to reduce serious inflationary pressures and to assist in limiting the volume of new residential construction to a level which could have been maintained with the materials and labor available in the light of national defense requirements, restrictions on residential real estate credit (applicable where construction was started after noon of August 3, 1950) were imposed, with the concurrence of the Housing and Home Finance Administrator, by Regulation X (Chapter XV of this title) issued by the Board of Governors of the Federal Reserve System (hereinafter called the "Board"). Related credit restrictions (applicable to both new and old residential property) were contained in regulations of the Federal Housing Commissioner and the Administrator of Veterans' Affairs.

Actions restricting residential credit were taken under the authority of Title VI of the Defense Production Act of 1950, approved September 8, 1950, and amendments thereto and of Executive Order 10161, issued September 9, 1950. In order to assist the provision of housing needed for in-migrant defense workers or military personnel and their families where the failure to provide such housing would impede national defense activities, residential credit restrictions were relaxed or modified in critical defense housing areas designated by the Housing and Home Finance Administrator.

In addition thereto, and pursuant to the provisions of Title I of the Defense Housing and Community Facilities and Services Act of 1951, approved September 1, 1951, and of Executive Order 10296, dated October 2, 1951, the Director of Defense Mobilization was authorized, upon a finding that certain conditions set forth in the Defense Housing and Community Facilities and Services Act of 1951 exist, to designate specified areas as critical defense housing areas. The Housing and Home Finance Administrator was also authorized under said Defense Housing and Community Facilities and Services Act of 1951 and under paragraph number 3 of Executive Order 10296, upon such a finding and designation by the Director of Defense Mobilization, to suspend or relax residential real estate credit restrictions imposed under the authority of the Defense Production Act of 1950, as amended.

The purpose of this regulation, issued by the Housing and Home Finance Administrator, was to prescribe uniform conditions and procedures under which exceptions from credit restrictions were made available in the designated critical defense housing areas in order to assure that the housing for which such exceptions were granted (whether or not such housing was financed with Government assistance) would meet the needs of the in-migrant defense workers or military personnel and their families. This procedure for granting exceptions from credit restrictions was in addition to other programs of the Housing and Home Finance Agency designed to assist in meeting such needs in critical defense housing areas. The approval of an application under this regulation (or under Housing and Home Finance Agency Regulation CR 2 which concerned exceptions from credit terms for areas affected by the Savannah River, Paducah (Kentucky), and Idaho Reactor Testing Station installations of the Atomic Energy Commission) was required as a condition to the approval by the Federal Housing Administration of an application for mortgage insurance under the provisions of Title IX (National Defense Housing Insurance) of the National Housing Act, as amended.

On September 15, 1952, following certification by the Secretary of Labor that new non-farm housing starts had fallen below an annual rate of 1,200,000 units for three consecutive months, the Board of Governors of the Federal Reserve System and Housing and Home Finance Administrator acting simultaneously pur-

suant to the provisions of Title I of the Defense Production Act Amendments of 1952, approved June 30, 1952, providing for a period of residential credit control relaxation upon such a certification by the Secretary of Labor, announced respectively, the suspension of restrictions on residential real estate credit imposed by Regulation X and a relaxation of related credit restrictions in the regulations of the Federal Housing Commissioner and the Administrator of Veterans' Affairs.

2. Section 9 entitled *Where and how builders should apply* and section 14 entitled *Where and how applications should be made*, are amended by adding an additional undesignated paragraph at the end of each reading as follows:

No application will be accepted under the provisions of this section after October 9, 1952. Any applicant whose application was submitted under the provisions of this regulation on or before October 9, 1952, and who has not commenced construction of defense housing under this regulation may elect to be released from the obligations, conditions and restrictions arising out of, or incurred by the execution of, such application and from the terms and provisions of this regulation. To obtain such release, the applicant will be required to file in writing with the local FHA office in which the application was filed a written notice of his intention to withdraw the application filed by him, and, if the application has been approved, such written notice must include a statement that the applicant is surrendering the quota of defense housing allocated to him in the approved application. An applicant who does not elect to be released will have his application processed or treated as provided elsewhere in this regulation and the housing covered by such an approved application will be eligible (if otherwise eligible) for FHA mortgage insurance under Title IX of the National Housing Act and for the special benefits provided in Title III of that Act in connection with purchases by the Federal National Mortgage Association of mortgages covering defense housing programmed by the Housing and Home Finance Administrator. Any applicant who prior to October 10, 1952, has commenced construction of the programmed defense housing described in his approved application, or any applicant whose application was filed prior to October 10, 1952, and who does not elect to be released from the obligations, conditions and restrictions arising out of, or incurred by the execution of, such application and from the terms and provisions of this regulation, shall continue to be bound by all of the obligations, conditions, restrictions and liabilities arising out of or resulting from the execution of the application and from the terms and provisions of this regulation. After October 9, 1952, applications relating to the construction of programmed defense housing may be filed with the local office of the FHA serving the particular critical defense housing area in which the proposed defense housing is to be located, under appropriate regulations of the FHA.

3. Section 18 entitled *Approval of special credit exceptions* and section 19 entitled *Conditions and requirements* are herewith deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

[SEAL] **RAYMOND M. FOLEY,**
*Housing and Home Finance
Administrator.*

[F. R. Doc. 52-10982; Filed, Oct. 9, 1952;
8:48 a. m.]

[CR 5]

CR 5—PRIVATE DEFENSE HOUSING IN TERRITORIES AND POSSESSIONS OF THE UNITED STATES: REGULATION GOVERNING AVAILABILITY OF SPECIAL ASSISTANCE FOR CONSTRUCTION OF DEFENSE HOUSING IN CERTAIN CRITICAL DEFENSE HOUSING AREAS

REPEAL

Housing and Home Finance Agency Regulation CR 5 issued at 17 F. R. 7118, August 5, 1952, pursuant to Title I of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 65 Stat. 293), Titles III and IX of the National Housing Act, as amended (12 U. S. C. 1701), Title V of the Housing Act of 1948 (62 Stat. 1268), as amended, Reorganization Plan No. 3 of 1947 (61 Stat. 954), and Executive Order 10296 (16 F. R. 10103), is hereby repealed, effective as of the 10th day of October, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. 2154)

[SEAL] **RAYMOND M. FOLEY,**
*Housing and Home Finance
Administrator.*

[F. R. Doc. 52-10988; Filed, Oct. 9, 1952;
8:52 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 80 to Schedule A]

[Rent Regulation 2, Amdt. 78 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

PENNSYLVANIA AND WYOMING

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective October 8, 1952, Schedule A of Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 8th day of October 1952.

JAMES MCL. HENDERSON,
Director of Rent Stabilization.

No. 199—2

1. Item 267 (Pittsburgh, Pennsylvania, Defense-Rental Area) of Schedule A is amended so that for Class B housing accommodations in the City of New Castle, Lawrence County, Pennsylvania, and in any incorporated municipality in said county in which rent stabilization terminated on September 30, 1952, in accordance with the provisions of section 204 (f) (1) of the Housing and Rent Act of 1947, as amended, the maximum rent date is September 30, 1952, and the effective date of regulation is October 8, 1952.

2. Item 368 (Casper, Wyoming, Defense-Rental Area) of Schedule A is amended so that for Class B housing accommodations in the City of Casper in Natrona County, Wyoming, the maximum rent date is September 30, 1952, and the effective date of regulation is October 8, 1952.

[F. R. Doc. 52-11023; Filed, Oct. 9, 1952;
9:02 a. m.]

[Rent Regulation 1, Amdt. 19 to Schedule B]

[Rent Regulation 2, Amdt. 20 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

CINCINNATI, OHIO, DEFENSE RENTAL AREA

Effective October 13, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 8th day of October 1952.

JAMES MCL. HENDERSON,
Director of Rent Stabilization.

1. A new item 64 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

64. Provisions relating to Hamilton County, Ohio, a portion of the Cincinnati, Ohio, Defense-Rental Area (Item 227 of Schedule A):

With respect to housing accommodations in Hamilton County, Ohio, section 141 of this regulation is changed to read as follows:

Sec. 141. *Alternate adjustment for increase in costs and prices.* The present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation, for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the housing accommodation or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders

issued under sections 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director.

All provisions of this regulation insofar as they are applicable to Hamilton County, Ohio, a portion of the Cincinnati, Ohio, Defense-Rental Area, are amended to the extent necessary to carry into effect the provisions of this item 64 of schedule B.

2. A new item 70 is added to Schedule B of Rent Regulation 2, reading as follows:

70. Provisions relating to Hamilton County, Ohio, a portion of the Cincinnati, Ohio, Defense-Rental Area (Item 227 of Schedule A):

With respect to housing accommodations in Hamilton County, Ohio, section 138 is added to this regulation to read as follows:

Sec. 138. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation, for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 160 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director.

All provisions of this regulation insofar as they are applicable to Hamilton County, Ohio, a portion of the Cincinnati, Ohio, Defense-Rental Area, are amended to the extent necessary to carry into effect the provisions of this item 70 of Schedule B.

[F. R. Doc. 52-11024; Filed, Oct. 9, 1952;
9:02 a. m.]

[Rent Regulation 1, Amdt. 20 to Schedule B]

[Rent Regulation 2, Amdt. 21 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

PENNSYLVANIA AND WYOMING

Effective October 8, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 8th day of October 1952.

JAMES MCL. HENDERSON,
Director of Rent Stabilization.

1. A new item 65 is added to Schedule B of Rent Regulation 1 and a new item 71 is added to Schedule B of Rent Regulation 2, reading as follows:

Provisions relating to the City of New Castle in Lawrence County, Pennsylvania, and to any incorporated municipality in said county in which rent stabilization terminated on September 30, 1952, portions of the Pittsburgh, Pennsylvania Defense-Rental Area (Item 267 of Schedule A):

Section 91 et seq. of this regulation, relating to the establishment of maximum rents shall be applicable instead of section 81, et seq. relating to the establishment of maximum rents.

All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

2. A new item 66 is added to Schedule B of Rent Regulation 1 and a new item 72 is added to Schedule B of Rent Regulation 2, reading as follows:

Provisions relating to the City of Casper in Natrona County, Wyoming in the Casper, Wyoming Defense-Rental Area (Item 368 of Schedule A):

Section 91, et seq. of this regulation, relating to the establishment of maximum rents shall be applicable instead of section 81, et seq. relating to the establishment of maximum rents.

All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

[P. R. Doc. 52-11022; Filed, Oct. 9, 1952; 9:02 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 21—PUBLIC LANDS; MILITARY AND NAVAL RESERVATIONS

FORT CLAYTON, COROZAL, AND CURUNDU ARMY RESERVATIONS, AND ALBROOK AIR FORCE BASE, CANAL ZONE

CROSS REFERENCE: For amendment to the tabulation in § 21.3, insofar as it relates to Fort Clayton, Corozal, and Curundu Army Reservations, and Albrook Air Force Base, see Canal Zone Order 29 in Appendix to this chapter, *infra*.

Appendix—Canal Zone Orders

[Canal Zone Order 29]

FORT CLAYTON, COROZAL, AND CURUNDU ARMY RESERVATIONS, AND ALBROOK AIR FORCE BASE, CANAL ZONE

SETTING APART OF RESERVATIONS; BOUNDARIES; CONDITIONS AND LIMITATIONS

By virtue of the authority vested in the President of the United States by section 5 of title 2 of the Canal Zone Code, as amended by section 1 of Act September 28, 1950, 64 Stat. 1038, and delegated to me by Executive Order No. 9746 of July 1, 1946, as amended by Executive Order No. 10101 of January 31, 1950, and after consultation with the Secretary of the Air Force in the case of Albrook Air Force Base, it is ordered as follows:

SECTION 1. Setting apart of reservations; boundaries. The areas of land in the Canal Zone hereinafter described as Fort Clayton Army Reservation (one parcel), Corozal Army Reservation (four parcels), Curundu Army Reservation (one parcel), and Albrook Air Force Base (five parcels), are hereby set apart and assigned as follows: Fort Clayton, Corozal, and Curundu Army Reservations to the uses and purposes of Army reservations, and to be under the control and jurisdiction of the Secretary of the Army, subject to the provisions of section 2 of this order; and Albrook Air Force Base to the uses and purposes of an Air Force reservation, and to be under the control and jurisdiction of the Secretary of the Air Force, subject to the provisions of section 2 of this order.

FORT CLAYTON ARMY RESERVATION

Beginning at monument No. 55, which is a 1½-inch iron pipe set in concrete, located on the eastern portion of the Canal Zone-Republic of Panama boundary, between monuments Nos. 88 and 89, the geodetic position of which, referred to the Canal Zone triangulation system, is in latitude 9°01' N. plus 6,041.0 feet and longitude 79°31' W. plus 3,886.9 feet from Greenwich.

Thence from said initial point by metes and bounds:

Due West, 218.6 feet, to monument No. 1, which is a 1½-inch iron pipe set in concrete, located on a hillside in an open field;

S. 89° 59' W., 249.6 feet to monument No. 2, which is a 1½-inch iron pipe set in concrete, located on the eastern bank of a branch of the Rio Abajo;

Due West, 7,113.7 feet, through monuments Nos. 3, 4 and 5, which are 1½-inch iron pipes set in concrete, to monument No. 6, which is a ½-inch copper plug set in a 10-inch square concrete block, located on top of a high hill, west of the east fork of the Rio Cardenas, the distances being 1,266.4 feet, 839.2 feet, 2,055.2 feet and 2,952.9 feet, successively, from beginning of the course;

N. 89° 59' W., 3,864.6 feet, through monument No. 7, which is a 1½-inch iron pipe set in concrete, to monument No. 8, which is a 1½-inch iron pipe set in concrete, located on the side of a high hill, the distances being 2,504.1 feet and 1,360.5 feet, successively, from beginning of the course.

N. 89° 57' W., 1,225.0 feet, to monument No. 9, which is a 1½-inch iron pipe set in concrete, located on the easterly side of the trail along the east bank of Rio Cardenas;

S. 89° 46' W., 200.3 feet, to monument No. 10, which is a 1½-inch iron pipe set in concrete, located on the west bank of the Rio Cardenas;

N. 89° 55' W., 413.3 feet, to monument No. 11, which is a 1½-inch iron pipe set in concrete, located on a small hill;

N. 89° 57' W., 1,255.1 feet, to monument No. 12, which is a 1½-inch iron pipe set in concrete, located on the edge of a high hill, 20 feet north of the boundary trail;

N. 89° 56' W., 172.7 feet, to monument No. 13, which is a 1½-inch iron pipe set in concrete, located on the above mentioned hill and on the north side of the boundary trail;

N. 89° 47' W., 1,231.5 feet, to monument No. 14, which is a 1½-inch iron pipe set in concrete, located in the rock bed of the east fork of the Rio Guanabano;

Due West, 874.6 feet, to monument No. 15, which is a 1½-inch iron pipe set in concrete, located on the southern slope of a steep rocky hill, north of the boundary trail;

N. 89° 56' W., 2,131.6 feet, to monument No. 16, which is a 1½-inch iron pipe set in concrete, located on the west bank of the west fork of the Rio Guanabano;

N. 89° 49' W., 1,015.2 feet, to monument No. 17, which is a 1½-inch iron pipe set in

concrete, located about 20 feet west of the Panama-Cruces Trail;

N. 89° 58' W., 1,417.1 feet, to monument No. 18, which is a 1½-inch iron pipe set in concrete, located on the west side of the Chiva-Chiva Trail, 15 feet south of the wire fence of the various Canal Zone Farm Leases;

N. 89° 44' 30' W., 961.8 feet, to monument No. 19, which is a 2-inch iron pipe set in concrete, located on the east bank of the Rio Camaron;

N. 89° 54' 10' W., 331.2 feet, to monument No. 19-1, which is a 2-inch iron pipe;

N. 89° 56' 40' W., 1,498.0 feet, to monument No. 19-2, which is a 12-inch square concrete monument;

N. 60° 35' E., 504.0 feet, to monument No. 19-3, which is a 3-inch iron pipe set in concrete;

N. 21° 00' W., 410.0 feet, to monument No. 19-4, which is a 12-inch square concrete monument;

Due West, 506.0 feet, through monuments Nos. 19-5 and 19-6, which are 12-inch square concrete monuments, to monument No. 19-7, which is a 12-inch square concrete monument, the distances being 206.0 feet, 115.0 feet and 185.0 feet, successively, from beginning of the course;

S. 22° 31' W., 406.0 feet, to monument No. 19-8, which is a 12-inch square concrete monument;

S. 07° 27' W., 514.9 feet, through monument No. 19-9, which is a 12-inch square concrete monument, to monument No. 19-10, which is a 12-inch square concrete monument, the distances being 322.4 feet and 192.5 feet, successively, from beginning of the course;

N. 89° 52' W., 2,127.7 feet, through monuments Nos. 21, which is a 1½-inch iron pipe set in concrete, and 22, which is an 8-inch square concrete monument, to monument No. 22-A, which is an 8-inch square concrete monument, located on the easterly bank of the Caimitillo Arm of Miraflores Lake, the distances being 1,314.9 feet, 794.9 feet and 17.9 feet, successively, from beginning of the course. The geodetic position of monument No. 22-A is in latitude 9°02' N. plus 19.8 feet and longitude 79°36' W. plus 723.8 feet;

Southerly and northeasterly, along the 55 foot contour on the easterly bank of the Caimitillo Arm of Miraflores Lake to monument No. 22-B, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 9°01' N. plus 4,575.6 feet and longitude 79°35' W. plus 5,555.9 feet;

N. 82° 25' 30' E., 50.6 feet, to monument No. 22-C, which is a 3-inch iron pipe set in concrete, located on the 55 foot contour on the easterly bank of the Caimitillo Arm of Miraflores Lake;

Southerly, along the above mentioned 55 foot contour, to monument No. 23, which is a ½-inch brass plug set in an 8-inch square concrete monument, located 100 feet northerly and at right angles from the centerline of Gaillard Highway pavement, the geodetic position of which is in latitude 9°00' N. plus 5,494.7 feet and longitude 79°35' W. plus 5,833.0 feet;

Southerly and southeasterly, along a line parallel to, and 100 feet from the centerline of Gaillard Highway pavement to monument "X", which is a 2½-inch iron pipe set in concrete, located beside a cyclone fence, near the most westerly gate of the Post of Fort Clayton, the geodetic position of which is in latitude 9°00' N. plus 2,312.7 feet and longitude 79°35' W. plus 3,793.3 feet;

S. 33° 35' 00' W., 70.4 feet, to monument "A", which is a 2½-inch iron pipe set in concrete, located at the corner of the above mentioned cyclone fence;

S. 57° 00' 10' E., 1,123.4 feet, along the above mentioned cyclone fence, to monument "B", which is a 2½-inch iron pipe set in concrete;

S. 54° 29' 40" E., 187.3 feet, along the above mentioned cyclone fence, to monument "C", which is a 2½-inch iron pipe set in concrete;

S. 35° 38' 10" E., 279.7 feet, along the above mentioned cyclone fence, to monument "D", which is a 2½-inch iron pipe set in concrete;

S. 35° 38' 30" E., 675.0 feet, along the above mentioned cyclone fence, to monument "E", which is a 2½-inch iron pipe set in concrete;

S. 52° 42' 00" E., 25.9 feet, along the above mentioned cyclone fence, to monument "F", which is a 2½-inch iron pipe set in concrete;

S. 35° 38' 20" E., 1,239.8 feet, along the above mentioned cyclone fence, to monument "G", which is a 2½-inch iron pipe set in concrete;

S. 35° 39' 00" E., 766.1 feet, along the above mentioned cyclone fence, to monument "H", which is a 2½-inch iron pipe set in concrete;

S. 35° 39' 00" E., 932.8 feet, along the above mentioned cyclone fence, to monument "I", which is a 2½-inch iron pipe set in concrete;

S. 34° 14' 10" E., 320.4 feet, along the above mentioned cyclone fence, to monument "J", which is a 2½-inch iron pipe set in concrete;

S. 39° 11' 00" E., 407.9 feet, to monument "K", which is a 2½-inch iron pipe set in concrete, located at the corner of a cyclone fence;

S. 33° 50' 40" E., 210.7 feet, along the above mentioned cyclone fence, to monument "L", which is a 2½-inch iron pipe set in concrete;

S. 85° 48' 30" E., 36.5 feet, along the above mentioned cyclone fence, to monument "M", which is a 2½-inch iron pipe set in concrete;

N. 71° 23' 40" E., 24.3 feet, along the above mentioned cyclone fence, to monument "N", which is a 2½-inch iron pipe set in concrete, located 100 feet from the centerline of the Gaillard Highway pavement, at the top of the right bank of the Rio Cardenas.

Southeasterly, along a line parallel to, and 100 feet from the centerline of the Gaillard Highway pavement, to monument No. 26-A, which is a brass plug in an 8-inch square concrete post, the geodetic position of which is in latitude 8° 59' N. plus 2,542.4 feet and longitude 79° 34' W. plus 4,995.3 feet;

N. 47° 17' 10" E., 813.2 feet, through monuments Nos. 26-1, which is a 2-inch iron pipe set in concrete, and 26-2, which is a 2½-inch iron pipe set in concrete, to monument No. 27, which is a brass plug in an 8-inch square concrete post, the distances being 236.1 feet, 337.3 feet and 239.8 feet, successively, from beginning of the course;

N. 28° 48' 50" E., 1,632.7 feet, through monuments Nos. 27-1, 27-2, 27-3, 27-4, 27-5, 27-6, and 27-7, which are 2½-inch iron pipes set in concrete, to monument No. 27-8, which is a brass plug in an 8-inch square concrete post, the distances being 140.4 feet, 258.5 feet, 202.6 feet, 312.0 feet, 452.9 feet, 212.9 feet, 150.3 feet and 103.1 feet, successively, from beginning of the course;

N. 20° 39' 40" E., 1,005.4 feet, through monuments Nos. 28, 28-1 and 28-2, which are 2½-inch iron pipes set in concrete, to monument No. 29, which is a brass plug in an 8-inch square concrete post, the distances being 346.1 feet, 306.0 feet, 151.2 feet and 200.1 feet, successively, from beginning of the course;

N. 20° 03' 20" W., 576.2 feet, through monument No. 29-1, which is a 2½-inch iron pipe set in concrete, to monument No. 30, which is a brass plug set in the upstream curb, near the southeast corner of the unused concrete bridge across the Rio Cardenas, the distances being 516.3 feet and 59.9 feet, successively, from beginning of the course;

Upstream, along the left bank of the Rio Cardenas, to monument No. 31, which is a 2-inch iron pipe set in concrete, located on the right bank of the Rio Dos Bocas, the geodetic position of which is in latitude 9° 00' N. plus 900.8 feet and longitude 79° 34' W. plus 3,399.0 feet;

Upstream, in an easterly direction, along the right bank of the Rio Dos Bocas, to monument No. 32, which is a 2-inch iron

pipe set in an 8-inch square concrete post, located westerly from the C-8 Road, the geodetic position of which is in latitude 9° 00' N. plus 958.7 feet and in longitude 79° 34' W. plus 754.0 feet;

S. 36° 09' 30" E., 78.0 feet, to monument No. 33, which is a 2-inch iron pipe set in an 8-inch square concrete post, located easterly from the C-8 Road, on the right bank of the Rio Dos Bocas;

Upstream, in an easterly direction, along the right bank of the Rio Dos Bocas, to monument No. 34, which is a 2½-inch iron pipe set in an 8-inch square concrete post, located 100 feet southerly from the centerline of the C-12 Road, the geodetic position of which is in latitude 9° 00' N. plus 1,507.6 feet and in longitude 79° 33' W. plus 4,994.6 feet;

Northwesterly, parallel to, and 100 feet from the centerline of the C-12 Road, to monument No. 35, which is a 3-inch iron pipe set in an 8-inch square concrete post, the geodetic position of which is in latitude 9° 00' N. plus 1,639.7 feet and in longitude 79° 33' W. plus 5,253.7 feet;

N. 16° 05' 00" E., 130.4 feet, to monument No. 41, which is a 2-inch iron pipe, located on the northerly side of the C-12 Road, at the southwest corner of the gasoline storage area;

N. 09° 00' 00" E., 921.0 feet, through monument No. 40, which is a 2-inch iron pipe, to monument No. 39, which is a 2-inch iron pipe, located at the northwest corner of the gasoline storage area, the distances being 601.0 feet and 320.0 feet, successively, from beginning of the course;

Due North, 4,419.5 feet, through monuments Nos. 38 to 25 inclusive, which are 2-inch iron pipes, to monument No. 24, which is a 3-inch iron pipe, the distances being 527.2 feet, 567.5 feet, 190.5 feet, 188.5 feet, 226.4 feet, 315.0 feet, 281.4 feet, 199.1 feet, 290.6 feet, 382.3 feet, 106.9 feet, 383.5 feet, 355.6 feet, 278.8 feet and 126.2 feet, successively, from beginning of the course;

Due East, 8,000.1 feet, through monuments Nos. 23 to 4 inclusive, which are 2-inch iron pipes, to monument No. 3, which is a 2-inch iron pipe, the distance being 134.5 feet, 591.3 feet, 196.0 feet, 571.9 feet, 384.3 feet, 744.4 feet, 142.7 feet, 870.9 feet, 461.7 feet, 290.7 feet, 519.1 feet, 449.3 feet, 327.5 feet, 385.0 feet, 101.5 feet, 299.9 feet, 171.9 feet, 360.9 feet, 302.0 feet, 220.2 feet and 474.4 feet, successively, from beginning of the course;

N. 89° 59' 20" E., 616.1 feet, through monuments Nos. 2, which is a 1½-inch iron pipe, and 1, which is a 2-inch iron pipe, to monument "E", which is a brass plug set in a 10-inch square concrete post, located on the Canal Zone-Republic of Panama boundary, in the center of the Rio Curundu, the geodetic position of which is in latitude 9° 01' N. plus 1,046.6 feet and longitude 79° 32' W. plus 2,469.6 feet, the distances being 427.7 feet, 64.0 feet and 124.4 feet, successively, from beginning of the course;

N. 63° 30' 00" E., 6,611.6 feet, along the Canal Zone-Republic of Panama boundary, through monuments Nos. E-1 to E-21 inclusive, (monuments E-1, E-18 and E-21 are iron rail; monuments E-2, E-3, E-4, E-6, E-7, E-8, E-9, E-10, E-12, E-14, E-15, E-16, E-17, E-19 and E-20 are 2-inch iron pipes set in concrete; E-5, E-11 and E-13 are square concrete posts) to monument "F", which is a square concrete post, the geodetic position of which is in latitude 9° 01' N. plus 3,996.4 feet and longitude 79° 31' W. plus 2,564.4 feet, the distances being 179.2 feet, 99.6 feet, 156.7 feet, 500.0 feet, 500.0 feet, 313.8 feet, 500.0 feet, 500.0 feet, 500.0 feet, 150.0 feet, 25.0 feet, 475.0 feet, 212.0 feet, 54.8 feet, 42.5 feet, 372.9 feet, 500.0 feet, 500.0 feet, 381.5 feet, 300.0 feet, 160.0 feet and 238.6 feet, successively, from beginning of the course;

N. 26° 31' W., 411.3 feet, to Canal Zone-Republic of Panama boundary monument

No. 90, which is a 4-inch iron pipe with a brass cap;

N. 26° 32' W., 1112.7 feet, to Canal Zone-Republic of Panama boundary monument No. 89, which is a 4-inch iron pipe with a brass cap;

N. 28° 30' W., 766.0 feet, to monument No. 55, the point of beginning.

The directions of the lines refer to the true meridian. The area of Fort Clayton Army Reservation is 4782.8 acres, more or less, and is as shown on Canal Zone Government Drawing No. 6116-34, entitled "Map Showing U. S. Army and U. S. Air Force Reservations—Fort Clayton, Corozal, Curundu, and Albrook Air Force Base, Canal Zone", scale 1:10,000, dated May 29, 1952, on file in the Office of the Governor of the Canal Zone, Balboa Heights, C. Z.

COROZAL ARMY RESERVATION

PARCEL NO. 1 (EAST OF GAILLARD HIGHWAY)

Beginning at monument No. 19, which is a 2-inch iron pipe, located on a hillside, easterly from the Army Finance Office in the Post of Corozal, the geodetic position of which is in latitude 8° 59' N. plus 390.9 feet and longitude 79° 34' W. plus 580.9 feet. Monument No. 19 is on the westerly boundary of Albrook Air Force Base (Parcel No. 2).

Thence from said initial point by metes and bounds:

N. 01° 26' 30" W., 1,563.8 feet, along the westerly boundary of Albrook Air Force Base (Parcel No. 2), through monuments Nos. 20, 21 and 22, which are 2-inch iron pipes, to monument No. 23, which is an 8-inch square concrete post, further described as old Curundu Military Reservation boundary monument No. 33, on top of Corozal Hill, the distances being 384.3 feet, 583.5 feet, 360.2 feet and 235.8 feet, successively, from beginning of the course;

S. 60° 09' 30" W., 2,524.3 feet, through monuments Nos. 33-1 and 33-2, which are 2-inch iron pipes, located on opposite sides of the C-8 Road, 33-3 and 33-4, which are 2½-inch iron pipes, to monument No. 37, which is an 8-inch square concrete post, the distances being 1,044.3 feet, 64.6 feet, 598.5 feet, 391.8 feet and 425.1 feet, successively, from beginning of the course;

S. 47° 58' 20" W., 178.8 feet, to monument "A", which is an 8-inch square concrete monument, located on the southwesterly side of the short street in front of the Chapel in the Post of Corozal;

N. 43° 04' 30" W., 42.4 feet, to monument B-1, which is a brass plug, located in the southwesterly curb of the short street in front of the Chapel in the Post of Corozal;

N. 76° 19' 20" W., 23.8 feet, to monument A-3, which is a brass plug in the curb on the southeasterly side of Hospital Road;

S. 48° 20' 50" W., 189.9 feet, to monument A-2, which is a brass plug in the southeasterly curb of Hospital Road;

S. 09° 01' 50" W., 5.2 feet, to monument A-1, which is a brass plug in the easterly curb of Gaillard Highway;

S. 43° 53' 30" E., 70.8 feet, to monument "B", which is a 3-inch iron pipe set in concrete, located on the easterly side of Gaillard Highway, northwesterly from the Army Telephone Exchange building;

S. 40° 55' 30" E., 542.8 feet, along the easterly side of Gaillard Highway to monument 47-A, which is a 3-inch iron pipe, located 10.0 feet northwesterly from the prolongation of the northwesterly edge of the concrete pavement of a street extending north-easterly from Corozal Railroad Station to the Post of Corozal Theater;

Northeasterly, along a line parallel to and 10.0 feet from the northwesterly edge of the above mentioned street pavement to monument 47-E, which is a 3-inch iron pipe located 65 feet southwesterly from the centerline of the concrete pavement of the 26 foot wide street extending from the Post of Corozal Theater to the Army Finance Building,

the geodetic position of which is in latitude 8°59' N. plus 906.0 feet and longitude 79°34' W. plus 1,509.1 feet;

S. 25° 42' 40" E., 50.0 feet, to monument 47-F, which is a 3-inch iron pipe;

S. 36° 34' 00" E., 145.2 feet, to monument 47-G, which is a 3-inch iron pipe;

N. 46° 26' 20" E., 26.0 feet, to monument 47-H, which is a 3-inch iron pipe located 39.0 feet southwesterly from the centerline of the concrete pavement of the 26 foot wide street extending from the Post of Corozal Theater to the Army Finance Building;

Southeasterly, along a line parallel to, and 39.0 feet southwesterly from the centerline of the pavement of the above mentioned street, to monument No. 17-A, which is a 3-inch iron pipe, located on the southerly side of a cyclone fence, on the westerly boundary of Albrook Air Force Base (Parcel No. 2), the geodetic position of which is in latitude 8°59' N. plus 247.0 feet and longitude 79°34' W. plus 838.5 feet;

N. 73° 51' 30" E., 51.8 feet, along the above mentioned cyclone fence, to monument No. 18, which is a brass plug in a concrete road pavement near the Army Finance Office;

N. 58° 02' 30" E., 244.7 feet, along the above mentioned cyclone fence and its prolongation, to monument No. 19, the point of beginning.

PARCEL NO. 1-A (EAST OF GAILLARD HIGHWAY)

Beginning at monument "J," which is a 3-inch iron pipe set in concrete, located on the outside of a cyclone fence on the northeasterly side of Gaillard Highway and northeasterly from the spur railroad track leading to the Army Quartermaster Warehouse in the Post of Corozal, the geodetic position of which, referred to the Canal Zone triangulation system, is in latitude 8°58' N. plus 4,872.5 feet and longitude 79°34' W. plus 1,925.2 feet.

Thence from said initial point by metes and bounds:

Southeasterly, along the outside of the above mentioned cyclone fence, on the northeasterly side of Gaillard Highway, along the following courses:

S. 45° 17' 00" W., 19.0 feet, to monument "K," which is a 3-inch iron pipe set in concrete;

S. 29° 49' 00" E., 77.2 feet, to monument "L," which is a 3-inch iron pipe set in concrete;

S. 31° 51' 30" E., 243.7 feet, to monument "M," which is a 3-inch iron pipe set in concrete;

S. 33° 02' 50" E., 292.9 feet, to monument "N," which is a 3-inch iron pipe set in concrete;

S. 34° 03' 10" E., 312.7 feet, to monument "O," which is a 2½-inch iron pipe set in concrete;

S. 34° 50' 10" E., 382.5 feet, to monument "P," which is a 3-inch iron pipe set in concrete;

S. 34° 12' 30" E., 339.4 feet, crossing the entrance roads to Gate No. 8 of the Post of Corozal, to monument "Q," which is a 2-inch iron pipe, located back of the curb on the northeasterly side of Gaillard Highway;

N. 15° 38' 40" W., 95.3 feet, to monument "R," which is a 2-inch iron pipe;

N. 26° 39' 20" E., 93.9 feet, to monument "S," which is a 2-inch iron pipe, located inside a cyclone fence;

N. 67° 10' 50" E., 143.8 feet, to monument "T," which is a 2-inch iron pipe;

N. 17° 03' 00" E., 150.4 feet, to monument "U," which is a 2-inch iron pipe;

N. 03° 14' 50" E., 111.1 feet, to monument "V," which is a 3-inch iron pipe;

N. 13° 56' 20" W., 216.1 feet, to monument "W," which is a 2½-inch iron pipe;

N. 38° 43' 20" W., 125.7 feet, to monument "X," which is a 2-inch iron pipe;

N. 50° 36' 20" W., 166.0 feet, to monument "Y," which is a 2-inch iron pipe;

N. 80° 03' 00" W., 978.0 feet, through monument "Z," which is a 2-inch iron pipe,

to monument "J," the point of beginning, the distances being 167.3 feet and 810.7 feet, successively, from beginning of the course.

PARCEL NO. 1-B (EAST OF GAILLARD HIGHWAY)

Beginning at monument "A," which is a 2-inch iron pipe, located on the easterly side of a macadam road and southerly from the diesel power plant, the geodetic position of which is in latitude 8°58' N. plus 4,085.6 feet and 79°34' W. plus 783.0 feet from Greenwich.

Thence from said initial point by metes and bounds:

N. 22° 20' 00" W., 159.2 feet, to monument "B," which is a 2½-inch iron pipe, located northwesterly from the diesel power plant;

N. 58° 20' 00" E., 72.1 feet, along the northwesterly side of the diesel power plant to monument "C," which is a 2-inch iron pipe;

S. 31° 36' 00" E., 111.9 feet, along the northeasterly side of the diesel power plant to monument "D," which is a 2-inch iron pipe;

S. 58° 15' 00" W., 45.9 feet, along the southeasterly side of the diesel power plant, to monument "E," which is a 2-inch iron pipe;

S. 31° 36' 00" E., 51.4 feet, to monument "F," which is a 2-inch iron pipe;

S. 65° 10' 00" W., 52.2 feet, to monument "A," the point of beginning.

PARCEL NO. 2 (WEST OF GAILLARD HIGHWAY)

Beginning at monument "A," which is a 3-inch iron pipe set in concrete, located on the easterly bank of the Rio Grande, approximately 800 feet southerly from the junction of the Rio Cardenas, the geodetic position of which is in latitude 8°59' N. plus 2,353.3 feet and longitude 79°34' W. plus 5,915.7 feet.

Thence from said initial point by metes and bounds:

Due East, 24.6 feet, to monument "B," which is a 2-inch iron pipe set in concrete;

S. 54° 11' 30" E., 668.4 feet, to monument "E," which is a 1½-inch iron pipe set in concrete, located at the northeasterly side of a cyclone fence;

S. 49° 58' 30" E., 1,289.4 feet, along the above mentioned cyclone fence, to monument "G," which is a 3-inch iron pipe set in concrete;

S. 23° 20' 30" E., 139.0 feet, along the above mentioned cyclone fence, to monument "H," which is a 3-inch iron pipe set in concrete;

S. 18° 50' 20" E., 173.1 feet, along the above mentioned cyclone fence, to monument "I," which is a 3-inch iron pipe set in concrete;

N. 74° 18' 00" E., 20.9 feet, along the above mentioned cyclone fence, to monument "J," which is a 3-inch iron pipe set in concrete;

S. 23° 00' 30" E., 83.0 feet, along the above mentioned cyclone fence, to monument "K," which is a brass plug set in a concrete platform;

S. 29° 02' 00" W., 4.9 feet, through the above mentioned cyclone fence, to monument "L," which is a 3-inch iron pipe set in concrete;

S. 38° 11' 30" E., 149.9 feet, along the above mentioned cyclone fence, to monument "M," which is a brass plug set in a concrete platform;

S. 53° 12' 50" E., 145.3 feet, to monument "N," which is a 3-inch iron pipe set in concrete;

N. 37° 55' 30" E., 235.4 feet, to monument "O," which is a 3-inch iron pipe set in concrete, located on the northeasterly side of a cyclone fence, on the southwesterly side of the Panama Railroad tracks;

S. 57° 11' 30" E., 231.7 feet, along the above mentioned cyclone fence, to monument "P," which is a brass plug in the pavement of the north entrance road to the Quartermaster Area;

S. 53° 23' 00" E., 429.3 feet, along the above mentioned cyclone fence, to monument "Q," which is a 3-inch iron pipe set in concrete;

S. 49° 42' 30" E., 250.3 feet, along the above mentioned cyclone fence, to monument "R," which is a 3-inch iron pipe set in concrete;

S. 22° 44' 20" E., 74.0 feet, to monument "S," which is a 3-inch iron pipe set in concrete;

S. 46° 01' 40" E., 161.5 feet, along the above mentioned cyclone fence, on the westerly side of Barth Road, to monument "T," which is a 3-inch iron pipe set in concrete;

S. 41° 28' 20" E., 200.2 feet, along the above mentioned cyclone fence, to monument "U," which is a 3-inch iron pipe set in concrete;

S. 37° 31' 30" E., 261.9 feet, along the above mentioned cyclone fence, to monument "V," which is a 3-inch iron pipe set in concrete;

S. 32° 47' 40" E., 998.5 feet, to monument "W," which is a 3-inch iron pipe set in concrete, located on the easterly side of a cyclone fence, on the westerly side of Barth Road;

S. 34° 02' 20" E., 301.7 feet, along the above mentioned cyclone fence, to monument "X," which is a brass plug set in a concrete pavement;

N. 58° 08' 10" E., 23.4 feet, along the above mentioned cyclone fence, to monument "Y," which is a brass plug set in a concrete pavement;

S. 32° 57' 00" E., 256.6 feet, along the above mentioned cyclone fence, to monument "Z," which is a brass plug set in the westerly curb of Barth Road;

S. 31° 45' 00" E., 557.2 feet, along the above mentioned cyclone fence, to monument Z-1, which is a 3-inch iron pipe set in concrete;

S. 30° 08' 20" E., 78.0 feet, along the above mentioned cyclone fence, to monument Z-2, which is a 3-inch iron pipe set in concrete;

N. 89° 59' 20" W., 3,290.3 feet, through monuments Nos. 13-1, 2, 13-2, 1, "O" which are 2½-inch iron pipes set in concrete, and 14, which is a 6-inch cast iron pipe, to an unmarked and unnumbered point on the +10 foot contour on the easterly bank of the Panama Canal, the geodetic position of said unmarked point is in latitude 8°58' N. plus 3,880.6 feet and longitude 79°34' W. plus 4,769.7 feet, the distance being 1,078.5 feet, 601.5 feet, 500.0 feet, 414.6 feet, 500.0 feet 187.9 feet and 7.8 feet successively, from beginning of the course;

In a northerly direction, following the +10 foot contour (except where drainage ditches extend inland from the shore line) along the easterly bank of the Panama Canal and the left bank of the Rio Grande, to monument "A," the point of beginning.

The directions of the lines refer to the true meridian.

The total area of Corozal Army Reservation is 279.3 acres, more or less (Parcel No. 1, East of Gaillard Highway is 43.6 acres, more or less; Parcel No. 1-A, East of Gaillard Highway is 12.0 acres, more or less; Parcel No. 1-B, East of Gaillard Highway is 0.3 acre, more or less and Parcel No. 2, West of Gaillard Highway is 223.4 acres, more or less), and is as shown on Canal Zone Government Drawing No. 6116-34, entitled "Map Showing U. S. Army and U. S. Air Force Reservations—Fort Clayton, Corozal, Curundu, and Albrook Air Force Base, Canal Zone," scale 1 : 10,000, dated May 29, 1952, on file in the Office of the Governor of the Canal Zone, Balboa Heights, C. Z.

CURUNDU ARMY RESERVATION

Beginning at monument No. 34, which is a 2½-inch iron pipe, located southeasterly from Albrook Air Force Gate No. 13, and 50 feet southwesterly from the centerline of the C-12 Road, the geodetic position of which is in latitude 8°59' N. plus 3,350.6 feet and longitude 79°33' W. plus 2,189.4

¹ Filed as part of the original document.

feet. Monument No. 34 is on the easterly boundary of Albrook Air Force Base (Parcel No. 2).

Thence from said initial point by metes and bounds:

S. 70° 02' 20" W., 70.1 feet, to monument No. 35, which is a 2½-inch iron pipe, located near the northeast corner of the Deer Park;

S. 15° 28' 20" E., 127.4 feet, along the easterly fence line of the Deer Park, to monument No. 36, which is a 1½-inch iron pipe, located at the southeast corner of the Deer Park;

S. 45° 43' 50" W., 149.8 feet, along the southerly fence line of the Deer Park, to monument No. 37, which is a 1½-inch iron pipe, located at the southwesterly corner of the Deer Park;

S. 39° 15' 30" E., 171.9 feet, to monument No. 38, which is a 1½-inch iron pipe;

S. 39° 15' 10" E., 111.9 feet, to monument No. 39, which is a 1½-inch iron pipe;

S. 39° 15' 30" E., 50.7 feet, to monument No. 40, which is a 1½-inch iron pipe;

S. 15° 28' 50" W., 739.4 feet, through monuments Nos. 41, 42, and 43, which are 1½-inch iron pipes, to monument No. 44, which is a 1½-inch iron pipe, the distances being 215.5 feet, 117.0 feet, 192.2 feet and 214.7 feet, successively, from beginning of the course;

S. 15° 28' 40" W., 972.1 feet, through monument No. 45, which is a 1½-inch iron pipe, to monument No. 46, which is a 1½-inch iron pipe, the distances being 669.0 feet and 303.1 feet, successively, from beginning of the course;

S. 28° 47' 50" E., 1,149.0 feet, through monument No. 47, which is a 1½-inch iron pipe, to monument No. 48, which is a 1½-inch iron pipe, the distances being 692.4 feet and 456.6 feet, successively, from beginning of the course;

S. 24° 35' 30" E., 104.3 feet, to monument No. 49, which is a 1½-inch iron pipe;

S. 14° 00' 20" E., 350.3 feet, along the westerly side of an improved drain, through monument No. 50, which is a 1½-inch iron pipe, to monument No. 51, which is a 1½-inch iron pipe, the distances being 238.2 feet and 112.1 feet, successively, from beginning of the course;

S. 02° 25' 30" E., 303.4 feet, along the westerly side of the above mentioned improved drain, to monument No. 52, which is a 1½-inch iron pipe;

S. 21° 38' 00" E., 171.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 53, which is a 1½-inch iron pipe;

S. 34° 12' 30" E., 326.6 feet, along the westerly side of the above mentioned improved drain, to monument No. 54, which is a brass plug in a concrete road pavement;

S. 17° 11' 50" W., 451.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 55, which is a 1½-inch iron pipe;

S. 66° 17' 30" W., 77.1 feet, along the northerly side of the above mentioned improved drain, to monument No. 56, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 73° 27' 50" E., 148.1 feet, along the northerly side of an improved drain, to monument No. 57, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 48° 48' 20" E., 67.3 feet, along the southeasterly side of an improved drain, to monument No. 58, which is a 1½-inch iron pipe;

N. 64° 44' 40" E., 444.5 feet, along the above mentioned improved drain, to monument No. 59, which is a 1½-inch iron pipe;

N. 60° 37' 20" E., 631.5 feet, along the above mentioned improved drain and its prolongation, to monument No. 60, which is a 2-inch iron pipe, located on the southerly side of an improved drain at its head;

N. 48° 30' 00" E., 342.4 feet, along the above mentioned improved drain, to monument No. 61, which is a 2-inch iron pipe;

N. 72° 13' 40" E., 145.4 feet, along the above mentioned improved drain, to monument No. 62, which is a 2-inch iron pipe, located at the intersection of two improved drains;

S. 06° 52' 50" W., 541.3 feet, along the easterly side of an improved drain, to monument No. 63, which is a 1½-inch iron pipe;

S. 09° 14' 30" W., 241.4 feet, along the easterly side of the above mentioned improved drain, to monument No. 64, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 61° 37' 40" E., 262.2 feet, along the northwesterly side of an improved drain, to monument No. 65, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 68° 53' 50" E., 859.8 feet, along the northerly side of an improved drain, to monument No. 66, which is a 1½-inch iron pipe;

S. 11° 09' 00" W., 247.5 feet, along the easterly side of the above mentioned improved drain to monument No. 67, which is a 1½-inch iron pipe;

S. 64° 55' 30" E., 47.7 feet, to monument No. 68, which is a brass plug in the westerly edge of the concrete pavement of the Curundu Road;

S. 20° 49' 00" W., 676.2 feet, to monument No. 69, which is a 2-inch iron pipe, located at the corner of a cyclone fence on the westerly side of Curundu Road;

Along the above mentioned cyclone fence, with the following courses, to its intersection with the boundary line of the old Curundu Military Reservation:

S. 20° 48' 10" W., 587.0 feet, to monument No. 70, which is a 2-inch iron pipe;

S. 15° 51' 10" W., 1,319.8 feet, to monument No. 71, which is a 1½-inch iron pipe;

S. 19° 23' 30" W., 116.0 feet, to monument No. 72, which is a 2-inch iron pipe;

S. 26° 28' 20" W., 86.8 feet, to monument No. 73, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

N. 52° 01' 20" W., 192.3 feet, to monument No. 74, which is a brass plug in a concrete road pavement;

N. 49° 48' 50" W., 445.3 feet, to monument No. 75, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

S. 42° 32' 20" W., 129.4 feet, to monument No. 76, which is a 1½-inch iron pipe;

S. 35° 27' 30" W., 186.8 feet, to monument No. 77, which is a 1½-inch iron pipe;

S. 18° 49' 50" W., 786.7 feet, to monument No. 78, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

S. 52° 14' 00" W., 33.8 feet, to monument No. 79, which is a 1½-inch iron pipe, located on the original Curundu Military Reservation boundary;

The above described boundary line from monument No. 34 to monument No. 79 inclusive, is common with the easterly boundary of Albrook Air Force Base (Parcel No. 2).

N. 89° 24' 40" E., 410.0 feet, to monument No. 54, which is a copper plug, set in the centerline on the top of the closed concrete box culvert which contains the Rio Curundu;

N. 51° 33' 30" E., 609.3 feet, along the centerline of the above mentioned concrete box culvert, to monument "A," which is a 3-inch iron pipe set in concrete;

N. 62° 22' 30" E., 61.0 feet, along the centerline of the above mentioned concrete box culvert, to monument "B," which is a brass plug set in a concrete sidewalk;

N. 47° 20' 20" E., 134.6 feet, along the centerline of the above mentioned concrete box culvert, to monument "C," which is a brass plug set in the headwall of the above mentioned concrete box culvert;

In a generally northeasterly direction, along the centerline of the Rio Curundu and the Canal Zone-Republic of Panama boundary, to an unmarked and unnumbered point, located 32 feet northeasterly from the centerline of the Road to Bella Vista near Albrook Air Force Gate No. 12, the geodetic position of which is in latitude 8°58' N. plus 4,057.3 feet and longitude 79°32' W. plus 3,082.6 feet. The above mentioned unnumbered point is located at the southeast corner of Albrook Air Force Base (Parcel No. 4).

N. 34° 52' 20" W., 77.1 feet, along a line parallel to, and 32 feet northeasterly from the centerline of the road to Bella Vista, to monument No. 1, which is a 2-inch iron pipe set in concrete;

Westerly, along a line parallel to, and 32 feet northerly from the centerline of the road to Bella Vista, to monument "A," which is a brass plug set in a concrete monument, located 25 feet easterly from the centerline of Curundu Road, the geodetic position of which is in latitude 8°58' N. plus 4,714.3 feet and longitude 79°32' W. plus 4,797.3 feet;

Northerly, along a line parallel to, and 25 feet easterly from the centerline of Curundu Road, to monument "B," which is a 2-inch iron pipe set in concrete, located 10 feet westerly from the centerline of a railroad, the geodetic position of which is in latitude 8°58' N. plus 5,263.5 feet and longitude 79°32' W. plus 4,845.0 feet;

Northerly along a line parallel to, and 10 feet westerly from the centerline of the above mentioned railroad, to monument "C," which is a 2-inch iron pipe set in concrete, located 25 feet westerly from the centerline of Warehouse Road, the geodetic position of which is in latitude 8°58' N. plus 5,920.2 feet and longitude 79°32' W. plus 4,577.6 feet;

N. 00° 08' 40" W., 322.6 feet, to monument "D," which is a 2-inch iron pipe set in concrete, located 25 feet westerly from the centerline of Warehouse Road;

N. 65° 59' 30" E., 1,390.5 feet, along a line 99 feet northerly of the Air Force Warehouse Building line, through monuments "E," "F," and "G," which are 2-inch iron pipes set in concrete, to monument "H," which is a 2-inch iron pipe set in concrete, the distances being 223.6 feet, 387.6 feet, 423.1 feet and 356.2 feet, successively, from beginning of the course;

N. 65° 59' 00" E., 141.0 feet, to monument "I," which is a 2-inch iron pipe set in concrete;

N. 65° 59' 30" E., 199.2 feet, to monument "J," which is a 2-inch iron pipe set in concrete;

N. 65° 59' 40" E., 140.7 feet, through monument "K," which is a 2-inch iron pipe set in concrete, located on the right bank of the Rio Curundu, to an unmarked and unnumbered point, located on the Canal Zone-Republic of Panama boundary, in the center of the Rio Curundu, the geodetic position of which is in latitude 8°59' N. plus 956.7 feet and longitude 79°32' W. plus 2,869.1 feet, the distances being 116.2 feet and 24.5 feet, successively, from beginning of the course;

The above described boundary line, from unnumbered point located in the centerline of the Rio Curundu near Gate, No. 12 through monuments No. 1, and "A" to "K" inclusive, to unnumbered point described in the above paragraph, is common with the southerly, westerly and northerly boundary of Albrook Air Force Base (Parcel No. 4).

Northerly, along the centerline of the Rio Curundu, on the Canal Zone-Republic of Panama boundary, to an unmarked point called No. 72, the geodetic position of which is in latitude 8°59' N. plus 4,948.6 feet and longitude 79°32' W. plus 3,318.4 feet. Point No. 72 is located at the southeast corner of Albrook Air Force Base (Parcel 1).

Due West, 1,564.5 feet, through monuments Nos. 71 to 67 inclusive, which are 2-inch iron pipes, to monument No. 66, which is a 2-inch iron pipe, the distances being 32.0 feet, 364.4 feet, 370.7 feet, 387.9 feet, 354.1 feet and 55.4 feet, successively, from beginning of the course;

S. 87° 37' 40" W., 1,856.0 feet, through monuments Nos. 65 to 61 inclusive, which are 2-inch iron pipes, to monument No. 60, which is a brass plug in a concrete monument;

ment, being further identified as triangulation station "Cedro", the distances being 865.9 feet, 107.8 feet, 415.7 feet, 284.1 feet, 90.5 feet and 92.0 feet, successively, from beginning of the course;

S. 25° 38' 50" W., 681.5 feet, to monument No. 59, which is a 2-inch iron pipe;

S. 75° 35' 10" W., 378.5 feet, to monument No. 58, which is a 2-inch iron pipe;

S. 10° 51' 50" W., 645.2 feet, to monument No. 57, which is a 2-inch iron pipe;

S. 80° 01' 40" W., 558.9 feet, to monument No. 56, which is a 2-inch iron pipe, located 50 feet northeasterly from the centerline of the C-12 Road;

N. 47° 54' 50" W., 153.9 feet, crossing the C-15 Road to monument No. 55, which is a 2-inch iron pipe, located 50 feet northeasterly from the centerline of the C-12 Road;

N. 15° 30' 20" E., 1,004.3 feet, along the westerly side of the C-15 Road, through monument No. 54, which is a 1½-inch iron pipe, to monument No. 53, which is a 1½-inch iron pipe, located 40 feet westerly from the centerline of the C-15 Road, the distances being 728.4 feet and 275.9 feet, successively, from beginning of the course;

N. 49° 28' 30" W., 835.5 feet, through monument No. 52, which is a 1½-inch iron pipe, to monument No. 51, which is a 1½-inch iron pipe, the distances being 320.2 feet and 515.3 feet, successively, from beginning of the course;

N. 49° 51' 50" W., 103.0 feet, to monument No. 50, which is a 2-inch iron pipe;

N. 64° 36' 20" W., 1,184.6 feet, through monuments Nos. 49 and 48, which are 2-inch iron pipes, to monument No. 47, which is a 2-inch iron pipe, the distances being 551.0 feet, 565.8 feet and 67.8 feet, successively, from beginning of the course;

N. 37° 28' 00" W., 198.1 feet, to monument No. 46, which is a 1½-inch iron pipe;

S. 70° 16' 30" W., 389.5 feet, to monument No. 45, which is a 2-inch iron pipe;

N. 68° 32' 30" W., 115.5 feet, to monument No. 44, which is a 2-inch iron pipe, located 50 feet easterly from the centerline of the C-12 Road;

In a northwesterly direction, parallel to, and 50 feet from the centerline of the C-12 Road, to monument No. 43, which is a 1½-inch iron pipe, located 1.5 feet from the face of a cyclone fence around the Gasoline Storage Area, the geodetic position of which is in latitude 9°00' N. plus 1,483.6 feet and longitude 79°33' W. plus 4,740.7 feet;

S. 69° 07' 00" W., 20.4 feet, along the above mentioned cyclone fence, to monument No. 42, which is a 1½-inch iron pipe, located at the southeast corner of the Gasoline Storage Area on the prolongation of the cyclone fence bordering the C-12 Road;

Northwesterly, along the face of the above mentioned cyclone fence, and its prolongation, to monument No. 41, which is a 2-inch iron pipe, located at the southwest corner of the Gasoline Storage Area, the geodetic position of which is in latitude 9°00' N. plus 1,765.0 feet and longitude 79°33' W. plus 5,217.6 feet. Monument No. 41 is on the easterly boundary of Fort Clayton Army Reservation;

The above described boundary line from point No. 72 through monuments Nos. 71 to 41 inclusive, is common with the southerly boundary of Albrook Air Force Base (Parcel No. 1).

S. 16° 05' W., 130.4 feet, to monument No. 35, which is a 3-inch iron pipe set in an 8-inch square concrete post, located 100 feet southerly and at right angles from the centerline of the C-12 Road;

Southeasterly, along a line parallel to, and 100 feet southerly from the centerline of the C-12 Road, to monument No. 34, which is a 2½-inch iron pipe set in an 8-inch square concrete post, located on the right bank of the Rio Dos Bocas, the geodetic position of which is in latitude 9°00' N. plus 1,507.6 feet and longitude 79°33' W. plus 4,994.6 feet;

The above-described boundary line from monument No. 41 through monument No. 35 to monument No. 34 is common with a part of the easterly boundary of Fort Clayton Army Reservation;

Southerly, along a line parallel to, and 100 feet westerly from the centerline of the C-12 Road, to monument No. 34-A, which is a 2-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 5,777.0 feet and longitude 79°33' W. plus 4,419.1 feet;

S. 87° 45' 40" W., 846.3 feet, through monument No. 34-B, which is a 1½-inch iron pipe set in concrete, and monument No. 34-C, which is a 2-inch iron pipe set in concrete, to monument No. 34-D, which is a 2-inch iron pipe set in concrete, the distances being 253.7 feet, 320.0 feet and 272.6 feet, successively, from beginning of the course;

S. 02° 34' 40" W., 174.3 feet, to monument No. 34-E, which is a 2-inch iron pipe set in concrete;

S. 23° 27' 20" E., 316.8 feet, through monument No. 34-F, which is a 2-inch iron pipe set in concrete, to monument No. 34-G, which is a 2-inch iron pipe set in concrete, the distances being 124.8 feet and 192.0 feet, successively, from beginning of the course;

S. 42° 03' 50" E., 382.3 feet, through monument No. 34-H, which is a 2-inch iron pipe set in concrete, to monument No. 34-I, which is a 2-inch iron pipe set in concrete, the distances being 138.5 feet and 243.8 feet, successively, from beginning of the course;

S. 54° 22' 40" E., 496.5 feet, to monument No. 34-J, which is a 2-inch iron pipe set in concrete;

N. 88° 56' 40" E., 44.7 feet, to monument No. 34-K, which is a 2-inch iron pipe set in concrete;

N. 88° 56' 10" E., 266.1 feet, to monument No. 34-L, which is a 2-inch iron pipe set in concrete, located at right angles and 100 feet southwesterly from the centerline of the C-12 Road;

S. 38° 28' 30" E., 152.2 feet, to monument No. 32-A, which is a 3-inch iron pipe set in concrete, located on the northerly boundary of Albrook Air Force Base (Parcel No. 2) at right angles to, and 100 feet southwesterly from the centerline of C-12 Road;

N. 33° 38' 50" E., 51.7 feet, to monument No. 33, which is a 2-inch iron pipe, located at right angles to, and 50 feet southwesterly from the centerline of the C-12 Road, and is the most northerly point on the boundary of Albrook Air Force Base (Parcel No. 2);

Southeasterly, along a line parallel to, and 50 feet southwesterly from the centerline of the C-12 Road, through monument No. 33-A, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,317.7 feet and longitude 79°33' W. plus 3,512.1 feet, and monument No. 33-D, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,107.6 feet and longitude 79°33' W. plus 3,028.1 feet, to monument No. 34, the point of beginning.

The above described boundary line from monument No. 32-A, through monuments Nos. 33, 33-A, 33-D to monument No. 34, is common with the northerly boundary of Albrook Air Force Base (Parcel No. 2).

Excluded from the above reservation are two isolated areas, hereinafter described as Parcel No. 3 and Parcel No. 5 of Albrook Air Force Base.

The directions of the lines refer to the true meridian.

The area of Curundu Army Reservation is 787.2 acres, more or less, and is as shown on Canal Zone Government Drawing No. 6116-34, entitled "Map Showing U. S. Army and U. S. Air Force Reservations—Fort Clayton, Corozal, Curundu and Albrook Air Force Base, Canal Zone", scale 1:10,000, dated May

29, 1952, on file in the Office of the Governor of the Canal Zone, Balboa Heights, C. Z.

ALBROOK AIR FORCE BASE

PARCEL NO. 1

Beginning at monument No. 41, which is a 2-inch iron pipe, located at the southwest corner of the Gasoline Storage Area, and on the prolongation of the cyclone fence which borders the C-12 Road, the geodetic position of which is in latitude 9°00' N. plus 1,765.0 feet and longitude 79°33' W. plus 5,217.6 feet. Monument No. 41 is on the easterly boundary of Fort Clayton Army Reservation, and on the northerly boundary of the Curundu Army Reservation.

Thence from said initial point by metes and bounds:

Southeasterly, along the face of the above mentioned cyclone fence, on the northeasterly side of the C-12 Road, to monument No. 42, which is a 1½-inch iron pipe, located on the prolongation of the fence line at the southeast corner of the Gasoline Storage Area, the geodetic position of which is in latitude 9°00' N. plus 1,476.4 feet and longitude 79°33' W. plus 4,759.8 feet;

N. 69° 07' 00" E., 20.4 feet, to monument No. 43, which is a 1½-inch iron pipe, located 50 feet northeasterly of the centerline of the C-12 Road and 18 inches from the above mentioned cyclone fence;

Southeasterly, parallel to, and 50 feet from, the centerline of the C-12 Road, to monument No. 44, which is a 2-inch iron pipe, the geodetic position of which is in latitude 8°59' N. plus 5,579.6 feet and longitude 79°33' W. plus 4,236.2 feet;

S. 68° 32' 30" E., 115.5 feet, to monument No. 45, which is a 2-inch iron pipe;

N. 70° 16' 30" E., 389.5 feet, to monument No. 46, which is a 1½-inch iron pipe;

S. 37° 28' 00" E., 198.1 feet, to monument No. 47, which is a 2-inch iron pipe;

S. 64° 36' 20" E., 1,184.6 feet, through monuments Nos. 48 and 49, which are 2-inch iron pipes, to monument No. 50, which is a 2-inch iron pipe, the distances being 67.8 feet, 565.8 feet and 551.0 feet, successively, from beginning of the course;

S. 49° 51' 50" E., 103.0 feet, to monument No. 51, which is a 1½-inch iron pipe;

S. 49° 28' 30" E., 835.5 feet, through monument No. 52, which is a 1½-inch iron pipe, to monument No. 53, which is a 1½-inch iron pipe, located 40 feet westerly from the centerline of the C-15 Road, the distances being 515.3 feet and 320.2 feet, successively, from beginning of the course;

S. 15° 30' 20" W., 1,004.3 feet, along the westerly side of the C-15 Road, through monument No. 54, which is a 1½-inch iron pipe, to monument No. 55, which is a 2-inch iron pipe, located northeasterly and 50 feet from the centerline of the C-12 Road, the distances being 275.9 feet and 728.4 feet, successively, from beginning of the course;

S. 47° 54' 50" E., 153.9 feet, crossing the C-15 Road, to monument No. 56, which is a 2-inch iron pipe, located northeasterly, and 50 feet from the centerline of the C-12 Road;

N. 80° 01' 40" E., 558.9 feet, to monument No. 57, which is a 2-inch iron pipe;

N. 10° 51' 50" E., 645.2 feet, to monument No. 58, which is a 2-inch iron pipe;

N. 57° 35' 10" E., 378.5 feet, to monument No. 59, which is a 2-inch iron pipe;

N. 25° 38' 50" E., 681.5 feet, to monument No. 60, which is a brass plug in a concrete monument, being further identified as triangulation station "Cedro";

N. 87° 37' 40" E., 1,856.0 feet, through monuments Nos. 61, 62, 63, 64, and 65, which are 2-inch iron pipes, to monument No. 66, which is a 2-inch iron pipe, the distances being 92.0 feet, 90.5 feet, 284.1 feet, 415.7 feet, 107.8 feet and 865.9 feet, successively, from beginning of the course;

Due East, 1,564.5 feet, through monuments Nos. 67, 68, 69, 70 and 71, which are 2-inch iron pipes, to an unmarked point called No.

¹ Filed as part of the original document.

72, which is on the Canal Zone-Republic of Panama boundary in the center of the Rio Curundu, the geodetic position of which is in latitude 8°59' N. plus 4,948.6 feet and longitude 79°32' W. plus 3,318.4 feet, the distances being 55.4 feet, 354.1 feet, 387.9 feet, 370.7 feet, 384.4 feet and 32.0 feet, successively, from beginning of the course;

The above described boundary line from monument No. 41 to unmarked point No. 72, is common with the northerly boundary of Curundu Army Reservation.

Northerly, along the centerline of the Rio Curundu, which is the Canal Zone-Republic of Panama boundary line, to monument "E", which is a brass plug set in a 10-inch square concrete post, the geodetic position of which is in latitude 9°01' N. plus 1,046.6 feet and longitude 79°32' W. plus 2,469.6 feet. Monument "E" is also on the southern boundary of Fort Clayton Army Reservation;

S. 89° 59' 20" W., 616.1 feet, through monuments Nos. 1, which is a 2-inch iron pipe, and 2, which is a 1½-inch iron pipe, to monument No. 3, which is a 2-inch iron pipe, the distances being 124.4 feet, 64.0 feet and 427.7 feet, successively, from beginning of the course;

Due West, 8,000.1 feet, through monuments Nos. 4 to 23 inclusive, which are 2-inch iron pipes, to monument No. 24, which is a 3-inch iron pipe, the geodetic position of which is in latitude 9°01' N., plus 1,046.6 feet and longitude 79°33' W. plus 5,073.6 feet, the distances being 474.4 feet, 220.2 feet, 302.0 feet, 360.9 feet, 171.9 feet, 299.9 feet, 101.5 feet, 385.0 feet, 327.5 feet, 449.3 feet, 519.1 feet, 290.7 feet, 461.7 feet, 870.9 feet, 142.7 feet, 744.4 feet, 384.3 feet, 571.9 feet, 196.0 feet, 591.3 feet and 134.5 feet, successively, from beginning of the course;

Due South, 4,419.5 feet, through monuments Nos. 25 to 38 inclusive, which are 2-inch iron pipes, to monument No. 39, which is a 2-inch iron pipe, located at the northwest corner of the Gasoline Storage Area, the distances being 126.2 feet, 278.8 feet, 355.6 feet, 383.5 feet, 106.9 feet, 382.3 feet, 290.6 feet, 199.1 feet, 281.4 feet, 315.0 feet, 226.4 feet, 188.5 feet, 190.5 feet, 567.5 feet and 527.2 feet, successively, from beginning of the course;

S. 09° 00' W., 921.0 feet, through monument No. 40, which is a 2-inch iron pipe, to monument No. 41, the point of beginning, the distances being 320.0 feet and 601.0 feet, successively, from beginning of the course. The above described boundary line from monument "E" to monument No. 41 inclusive, is common with a part of the southerly and easterly boundary of Fort Clayton Army Reservation.

PARCEL NO. 2

Beginning at monument No. 2, which is a 1½-inch iron pipe located on the northeasterly side of Gaillard Highway, opposite Diablo Crossing, the geodetic position of which is in latitude 8°58' N. plus 3,010.7 feet and longitude 79°34' W. plus 663.5 feet.

Thence from said initial point by metes and bounds:

S. 64° 22' 50" E., 483.6 feet, through monument No. 3, which is a 1½-inch iron pipe, to monument No. 4, which is a 1½-inch iron pipe, the distances being 177.2 feet and 306.4 feet, successively, from beginning of the course;

N. 44° 36' E., 102.3 feet, to monument No. 5, which is a 1½-inch iron pipe;

N. 09° 44' 20" W., 1,883.2 feet, through monuments Nos. 6, 7, 8 and 9, which are 1½-inch iron pipes, to monument No. 10, which is a 1½-inch iron pipe, located inside of the cyclone fence surrounding the water tanks northerly from Diablo Crossing, the distances being 523.9 feet, 442.9 feet, 410.2 feet, 297.7 feet and 208.5 feet, successively, from beginning of the course;

N. 49° 31' 30" E., 117.1 feet, to monument No. 11, which is a 1½-inch iron pipe, located on the outside of the above mentioned cyclone fence;

N. 31° 47' W., 307.1 feet, along the above mentioned cyclone fence and its prolongation, to monument No. 12, which is a 2-inch iron pipe;

N. 22° 19' 50" W., 257.5 feet through monument No. 13, which is a 2-inch iron pipe, to monument No. 14, which is a 2-inch iron pipe, the distances being 33.0 feet and 224.5 feet, successively, from beginning of the course;

N. 21° 28' W., 296.9 feet, to monument No. 15, which is a 2-inch iron pipe;

N. 10° 10' 00" W., 261.1 feet, to monument No. 16, which is a 2-inch iron pipe;

N. 26° 10' 20" W., 455.5 feet, to monument No. 17, which is a 2-inch iron pipe, located on the prolongation of a cyclone fence;

N. 73° 51' 30" E., 219.8 feet, along the prolongation of, and along the face of the above mentioned cyclone fence, through monument No. 17-A, which is a 3-inch iron pipe, located on the southerly boundary of Corozal Army Reservation (Parcel No. 1), to monument No. 18, which is a brass plug in a concrete road pavement near the Army Finance Office, the distances being 168.0 feet and 51.8 feet, successively, from beginning of the course;

N. 58° 02' 30" E., 244.7 feet, along the above mentioned cyclone fence and its prolongation, to monument No. 19, which is a 2-inch iron pipe;

N. 01° 26' 30" W., 1,563.8 feet, through monuments Nos. 20, 21 and 22, which are 2-inch iron pipes, to monument No. 23, which is an 8-inch square concrete post, further described as old Curundu Military Reservation boundary monument No. 33, located on top of Corozal Hill, the distances being 384.3 feet, 583.5 feet, 360.2 feet and 235.8 feet, successively, from beginning of the course.

The above described boundary line from monument No. 17-A to monument No. 23 inclusive, is common with the easterly boundary of Corozal Army Reservation (Parcel No. 1);

N. 60° 03' 20" E., 1,485.1 feet, through monuments Nos. 24, 25, 26, and 27, which are 2-inch iron pipes, to monument No. 28, which is a 2-inch iron pipe, the distances being 497.2 feet, 302.0 feet, 229.1 feet, 225.5 feet and 331.3 feet, successively, from beginning of the course;

N. 33° 39' 20" E., 1,623.6 feet, through monuments Nos. 29, 30 and 31, which are 2-inch iron pipes, to monument No. 32, which is a 2-inch iron pipe, the distances being 265.5 feet, 249.1 feet, 299.9 feet and 809.1 feet, successively, from beginning of the course;

N. 33° 38' 50" E., 708.1 feet, through monument No. 32-A, which is a 3-inch iron pipe set in concrete, located on the westerly boundary of Curundu Army Reservation, to monument No. 33, which is a 2-inch iron pipe, located at right angles to, and 50 feet southwesterly from the centerline of the C-12 Road, the distances being 656.4 feet and 51.7 feet, successively, from beginning of the course;

Southeasterly, along a line parallel to, and 50 feet southwesterly from the centerline of the C-12 Road, through monument No. 33-A, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,317.7 feet and longitude 79°33' W. plus 3,512.1 feet, and monument No. 33-D, which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 4,107.6 feet and longitude 79°33' W. plus 3,028.1 feet, to monument No. 34, which is a 2½-inch iron pipe, located southeasterly from Albrook Air Force Base Gate No. 13, the geodetic position of which is in latitude 8°59' N. plus 3,350.6 feet and longitude 79°33' W. plus 2,189.4 feet;

S. 70° 02' 20" W., 70.1 feet, to monument No. 35, which is a 2½-inch iron pipe, located near the northeast corner of Deer Park;

S. 15° 28' 20" E., 127.4 feet, along the eastern fence line of the Deer Park, to monument No. 36, which is a 1½-inch iron pipe, located at the southeast corner of the Deer Park;

S. 45° 43' 50" W., 149.8 feet, along the southerly fence line of the Deer Park, to monument No. 37, which is a 1½-inch iron pipe, located at the southwesterly corner of the Deer Park;

S. 39° 15' 30" E., 171.9 feet, to monument No. 38, which is a 1½-inch iron pipe;

S. 39° 15' 10" E., 111.9 feet, to monument No. 39, which is a 1½-inch iron pipe;

S. 39° 15' 30" E., 50.7 feet, to monument No. 40, which is a 1½-inch iron pipe;

S. 15° 28' 50" W., 739.4 feet, through monuments Nos. 41, 42 and 43, which are 1½-inch iron pipes, to monument No. 44, which is a 1½-inch iron pipe, the distances being 215.5 feet, 117.0 feet, 192.2 feet and 214.7 feet, successively, from beginning of the course;

S. 15° 28' 40" W., 972.1 feet through monument No. 45, which is a 1½-inch iron pipe, to monument No. 46, which is a 1½-inch iron pipe, the distances being 669.0 feet and 303.1 feet, successively, from beginning of the course;

S. 28° 47' 50" E., 1,149.0 feet, through monument No. 47, which is a 1½-inch iron pipe, to monument No. 48, which is a 1½-inch iron pipe, the distances being 692.4 feet and 456.6 feet, successively from beginning of the course.

S. 24° 35' 30" E., 104.3 feet, to monument No. 49, which is a 1½-inch iron pipe;

S. 14° 00' 20" E., 350.3 feet, along the westerly side of an improved drain, through monument No. 50, which is a 1½-inch iron pipe, to monument No. 51, which is a 1½-inch iron pipe, the distances being 238.2 feet and 112.1 feet, successively, from beginning of the course;

S. 02° 25' 30" E., 303.4 feet, along the westerly side of the above mentioned improved drain, to monument No. 52, which is a 1½-inch iron pipe;

S. 21° 38' 00" E., 171.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 53, which is a 1½-inch iron pipe;

S. 34° 12' 30" E., 326.6 feet, along the westerly side of the above mentioned improved drain, to monument No. 54, which is a brass plug in a concrete road pavement;

S. 17° 11' 50" W., 451.3 feet, along the westerly side of the above mentioned improved drain, to monument No. 55, which is a 1½-inch iron pipe;

S. 66° 17' 30" W., 77.1 feet, along the northerly side of the above mentioned improved drain, to monument No. 56, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 73° 27' 50" E., 146.1 feet, along the northerly side of an improved drain, to monument No. 57, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 48° 48' 20" E., 67.3 feet, along the southeasterly side of an improved drain, to monument No. 58, which is a 1½-inch iron pipe;

N. 64° 44' 40" E., 444.5 feet, along the above mentioned improved drain, to monument No. 59, which is a 1½-inch iron pipe;

N. 80° 37' 20" E., 631.5 feet, along the above mentioned improved drain and its prolongation, to monument No. 60, which is a 2-inch iron pipe, located on the southerly side of an improved drain at its head;

N. 48° 30' 00" E., 342.4 feet, along the above mentioned improved drain, to monument No. 61, which is a 2-inch iron pipe;

N. 72° 13' 40" E., 145.4 feet, along the above mentioned improved drain, to monument No. 62, which is a 2-inch iron pipe, located at the intersection of two improved drains;

S. 06° 52' 50" W., 541.3 feet, along the easterly side of an improved drain, to monument No. 63, which is a 1½-inch iron pipe;

S. 09° 14' 30" W., 241.4 feet, along the easterly side of the above mentioned improved drain, to monument No. 64, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

N. 61° 37' 40" E., 262.2 feet, along the northwesterly side of an improved drain, to

monument No. 65, which is a 1½-inch iron pipe, located at the intersection of two improved drains;

S. 68° 53' 50" E., 859.8 feet, along the northerly side of an improved drain, to monument No. 66, which is a 1½-inch iron pipe;

S. 11° 09' 00" W., 247.5 feet, along the easterly side of the above mentioned improved drain, to monument No. 67, which is a 1½-inch iron pipe;

S. 64° 55' 30" E., 47.7 feet, to monument No. 68, which is a brass plug set in the westerly edge of the concrete pavement of Curundu Road;

S. 20° 49' 00" W., 676.2 feet, to monument No. 69, which is a 2-inch iron pipe, located at the corner of a cyclone fence on the westerly side of Curundu Road;

Along the above mentioned cyclone fence, with the following courses, to its intersection with the boundary line of the old Curundu Military Reservation:

S. 20° 48' 10" W., 587.0 feet, to monument No. 70, which is a 2-inch iron pipe;

S. 15° 51' 10" W., 1,319.8 feet, to monument No. 71, which is a 1½-inch iron pipe;

S. 19° 23' 30" W., 116.0 feet, to monument No. 72, which is a 2-inch iron pipe;

S. 26° 28' 20" W., 86.8 feet, to monument No. 73, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

N. 52° 01' 20" W., 192.3 feet, to monument No. 74, which is a brass plug in a concrete road pavement;

N. 49° 48' 50" W., 445.3 feet, to monument No. 75, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

S. 42° 32' 20" W., 129.4 feet, to monument No. 76, which is a 1½-inch iron pipe;

S. 35° 27' 30" W., 186.8 feet, to monument No. 77, which is a 1½-inch iron pipe;

S. 18° 49' 50" W., 786.7 feet, to monument No. 78, which is a 1½-inch iron pipe, located at the corner of the above mentioned cyclone fence;

S. 53° 14' 00" W., 33.8 feet, to monument No. 79, which is a 1½-inch iron pipe, located on the original Curundu Military Reservation boundary;

The above described boundary line, from monument No. 32-A to monument No. 79 inclusive, is common with the westerly boundary of Curundu Army Reservation;

S. 89° 09' 00" W., 417.3 feet, to monument Z-1, which is a brass plug set in the concrete pavement located northeasterly from the Civil Affairs Building;

S. 69° 21' 20" W., 403.3 feet, to monument "Z", which is a 2½-inch iron pipe, located northeasterly from the Civil Affairs Building;

S. 25° 29' 40" W., 226.8 feet, to monument "Y", which is a 3-inch iron pipe set in concrete, located southwest from the Civil Affairs Building;

S. 20° 18' 10" E., 254.1 feet, to monument "X", which is a 2½-inch iron pipe set in concrete, located 15 feet northerly from the north edge of the Gaillard Highway pavement;

S. 67° 02' 00" W., 308.7 feet, to monument "W", which is a 3-inch iron pipe set in concrete, located on the outside of a cyclone fence near the southeast corner of the hangar;

S. 54° 38' 10" W., 65.7 feet, along the above mentioned cyclone fence, to monument "V", which is a 3-inch iron pipe set in concrete;

S. 49° 14' 20" W., 154.6 feet, along the above mentioned cyclone fence to monument "U", which is a 3-inch iron pipe set in concrete;

S. 85° 23' 00" W., 57.4 feet, along the above mentioned cyclone fence, to monument "T", which is a 3-inch iron pipe set in concrete;

S. 39° 04' 50" W., 836.2 feet, along the above mentioned cyclone fence, to monument "S", which is a 3-inch iron pipe set in concrete;

S. 05° 12' 40" E., 20.4 feet, along the above mentioned cyclone fence, to monument "R", which is a 3-inch iron pipe set in concrete;

S. 40° 17' 50" W., 378.4 feet, through the above mentioned cyclone fence, to monument "Q", which is a 3-inch iron pipe set in concrete, located inside the above mentioned cyclone fence, and 30 feet northwesterly from the northwesterly edge of the Gaillard Highway pavement;

Southwesterly, along a line parallel to, and 30 feet from the northwesterly edge of Gaillard Highway pavement, passing through to the outside of the above mentioned cyclone fence, to monument "P", which is a 3-inch iron pipe set in concrete, located 1.5 feet from the outside of the above mentioned cyclone fence, the geodetic position of which is in latitude 8°57' N. plus 4,796.5 feet and longitude 79°33' W. plus 3,406.7 feet;

Westerly, parallel to, and 1.5 feet from the face of the above mentioned cyclone fence, to monument "M", which is a 3-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°57' N. plus 4,887.1 feet and longitude 79°33' W. plus 4,153.0 feet;

N. 45° 40' 40" W., 265.2 feet, along the above mentioned cyclone fence, to monument "L", which is a 3-inch iron pipe set in concrete;

N. 34° 35' 40" W., 305.1 feet, along the above mentioned cyclone fence, to monument "K", which is a 3-inch iron pipe set in concrete;

N. 26° 57' 30" W., 300.2 feet, along the above mentioned cyclone fence, to monument "J", which is a 3-inch iron pipe set in concrete;

N. 20° 14' 30" W., 791.0 feet, along the above mentioned cyclone fence, to monument "I", which is a 3-inch iron pipe set in concrete;

N. 32° 45' 40" W., 507.7 feet, to monument "H", which is a 3-inch iron pipe set in concrete, located beside the above mentioned cyclone fence, northwesterly from Albrook Air Force Gate No. 2;

N. 32° 46' 20" W., 995.4 feet, along the above mentioned cyclone fence, through monument "G", which is a 3-inch iron pipe set in concrete, to monument "F", which is a 3-inch iron pipe set in concrete, the distances being 254.8 feet and 740.8 feet, successively, from beginning of the course;

N. 87° 49' 10" W., 29.2 feet, along the above mentioned cyclone fence, to monument D-2, which is a round iron corner post of the above mentioned cyclone fence;

N. 32° 43' 50" W., 647.3 feet, along the face of the above mentioned cyclone fence, to monument D-1, which is the first iron "I" post in the above mentioned cyclone fence, located southeasterly from Gate No. 1, of Albrook Air Force Base;

N. 41° 33' 40" W., 158.8 feet, to monument "D", which is a 3-inch iron pipe set in concrete, located on the northeasterly side of Gaillard Highway, and is old Curundu Military Reservation boundary monument No. 51;

N. 32° 49' 50" W., 514.0 feet, to monument "C", which is a brass plug in the edge of the Gaillard Highway third lane widening strip, southeasterly from the Diablo Crossing;

N. 25° 35' 50" W., 39.0 feet, along the edge of the pavement widening strip, to monument "B", which is an iron rod set in concrete, located at an angle in the above mentioned widening strip;

N. 32° 49' 50" W., 362.7 feet, along the edge of the pavement widening strip and its prolongation, to monument "A", which is a brass plug set in the pavement on the east side of Diablo Crossing;

N. 57° 53' 30" E., 46.4 feet, to monument No. 2, the point of beginning.

PARCEL NO. 3

Beginning at monument "W", which is a 2-inch iron pipe set in concrete, located 25 feet from the centerline of the C-12 Road and 25 feet from the centerline of the Engine Test Valley Road, the geodetic position of which is in latitude 8°59' N. plus 427.1 feet and longitude 79°32' W. plus 5,975.0 feet;

Thence from said initial point by metes and bounds:

In a northerly direction, approximately 1,290 feet, along a line parallel to, and 25 feet westerly from the centerline of the Engine Test Valley Road, to monument "X", which is a 2-inch iron pipe set in concrete, the geodetic position of which is in latitude 8°59' N. plus 1,620.1 feet and longitude 79°32' W. plus 5,556.5 feet;

N. 33° 19' 00" W., 1,461.3 feet, to an unmarked point called X-1;

S. 56° 41' 00" W., 641.9 feet, to monument "Y", which is a 2-inch iron pipe set in concrete, located 25 feet northeasterly from the centerline of the C-12 Road;

In a southeasterly direction, approximately 2,275 feet, along a line, parallel to, and 25 feet northeasterly from the centerline of the C-12 Road, to monument "W", the point of beginning.

PARCEL NO. 4

Beginning at monument No. 1, which is a 2-inch iron pipe set in concrete, located on the right bank of, and 77.1 feet westerly from the centerline of the Rio Curundu, the geodetic position of which is in latitude 8°58' N. plus 4,120.5 feet and longitude 79°32' W. plus 3,126.7 feet, further described as being 32 feet northeasterly from the centerline of the Road to Bella Vista near Albrook Air Force Gate No. 12. Monument No. 1 is on the easterly boundary of Curundu Army Reservation.

Thence from said initial point by metes and bounds:

Westerly, along a line parallel to, and 32 feet northerly from the centerline of the Road to Bella Vista, to monument "A", which is a brass plug set in a concrete monument, located 25 feet easterly from the centerline of Curundu Road, the geodetic position of which is in latitude 8°58' N. plus 4,714.3 feet and longitude 79°32' W. plus 4,797.3 feet;

Northerly, along a line parallel to, and 25 feet easterly from the centerline of Curundu Road, to monument "B", which is a 2-inch iron pipe set in concrete, located 10 feet westerly from the centerline of a railroad, the geodetic position of which is in latitude 8°58' N. plus 5,263.5 feet and longitude 79°32' W. plus 4,845.0 feet;

Northerly, along a line parallel to, and 10 feet westerly from the centerline of the above mentioned railroad, to monument "C", which is a 2-inch iron pipe set in concrete, located 25 feet westerly from the centerline of Warehouse Road, the geodetic position of which is in latitude 8°58' N. plus 5,220.2 feet and longitude 79°32' W. plus 4,577.6 feet;

N. 00° 08' 40" W., 322.6 feet, to monument "D", which is a 2-inch iron pipe set in concrete, located 25 feet westerly from the centerline of Warehouse Road;

N. 65° 59' 30" E., 1,390.5 feet, along a line, 99 feet northerly of the Air Force Warehouse Building line, through monuments "E", "F" and "G", which are 2-inch iron pipes set in concrete, to monument "H", which is a 2-inch iron pipe set in concrete, the distances being 223.5 feet, 387.8 feet, 423.1 feet and 356.2 feet, successively, from beginning of the course;

N. 65° 59' 00" E., 141.0 feet, to monument "I", which is a 2-inch iron pipe set in concrete;

N. 65° 59' 30" E., 199.2 feet, to monument "J", which is a 2-inch iron pipe set in concrete;

N. 65° 59' 40" E., 140.7 feet, through monument "K", which is a 2-inch iron pipe set in concrete, located on the right bank of the Rio Curundu, to an unmarked and unnumbered point, located on the Canal Zone-Republic of Panama boundary, in the center of the Rio Curundu, the geodetic position of which is in latitude 8° 59' N. plus 956.7 feet and longitude 79° 32' W. plus 2,869.1 feet, the distances being 116.2 feet and 24.5 feet, successively, from beginning of the course;

Southerly, along the centerline of the Rio Curundu, on the Canal Zone-Republic of Panama boundary, to an unmarked and unnumbered point, located 32 feet northeasterly from the centerline of the Road to Bella Vista, near Albrook Air Force Gate No. 12, the geodetic position of which is in latitude 8° 58' N. plus 4,057.3 feet and longitude 79° 32' W. plus 3,082.6 feet;

N. 34° 52' 20" W., 77.1 feet, parallel to, and 32 feet from the centerline of the Road to Bella Vista, to monument No. 1, the point of beginning.

The above described boundary line from monument No. 1 through monument "K" to unnumbered point in the centerline of the Rio Curundu, and from unnumbered point in the centerline of the Rio Curundu near Gate No. 12 to monument No. 1, is common with a part of the easterly boundary of Curundu Army Reservation.

PARCEL NO. 5

Beginning at monument "A", which is a 2-inch iron pipe set in concrete, located on the westerly side of the Engine Test Valley Road, the geodetic position of which is in latitude 8° 59' N. plus 3,486.8 feet and longitude 79° 32' W. plus 4,924.0 feet.

Thence from said initial point by metes and bounds:

S. 76° 29' 20" E., 275.0 feet, to monument "B", which is a 2-inch iron pipe set in concrete;

N. 13° 30' 30" E., 740.0 feet, to monument "C", which is a 2-inch iron pipe set in concrete;

N. 76° 29' 40" W., 275.0 feet, to monument "D", which is a 2-inch iron pipe set in concrete;

S. 13° 30' 20" W., 739.9 feet, to monument "A", the point of beginning.

The directions of the lines refer to the true meridian.

The total area of Albrook Air Force Base is 2,697.8 acres, more or less, (Parcel No. 1 is 1,403.9 acres, more or less; Parcel No. 2 is 1,158.8 acres, more or less; Parcel No. 3 is 31.8 acres, more or less; Parcel No. 4 is 98.6 acres, more or less, and Parcel No. 5 is 4.7 acres, more or less) and is as shown on Canal Zone Government Drawing No. 6116-34, entitled "Map Showing U. S. Army and U. S. Air Force Reservations—Fort Clayton, Corozal, Curundu, and Albrook Air Force Base, Canal Zone", scale 1:10,000, dated May 29, 1952, on file in the Office of the Governor of the Canal Zone, Balboa Heights, C. Z.

GENERAL

The surveys over the boundaries of the Fort Clayton Corozal and Curundu Army Reservations and the Albrook Air Force Base, were made in January 1946, November and December, 1950, January, August, September and December, 1951, and March and April 1952, and are recorded in Field Books numbered M-384, M-425, M-426, M-463, M-476, M-477, M-480, M-483, M-485, M-488 and M-492, and the geodetic positions of all points, referred to the Panama-Colon datum of the Canal Zone triangulation system, are on file in the office of the Surveys Branch, Engineering and Construction Bureau, The Panama Canal Company. Any change in geodetic position of monuments describing the boundary of the old Curundu Military Reservation is due to recomputation of positions based on better controlled net-

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work and is not to be construed as the movement of monuments to new positions, with the exception of revisions agreed to by all concerned.

SEC. 2. Conditions and limitations. The reservations established by section 1 of this order shall be subject to the following conditions and limitations:

(a) The areas comprising these reservations shall continue to be subject to the civil jurisdiction of the Government of the Canal Zone in conformity with the provisions of the Canal Zone Code as amended and supplemented.

(b) Personnel and equipment of the Canal Zone Government and of the Panama Canal Company shall be permitted free access to these reservations to carry out necessary operations of such agencies in, or in the vicinity of, these reservations, in connection with the public health and sanitation, drainage, surveys, aids to navigation, power transmission and distribution, telephone service, water and sewerage facilities, et cetera; to inspect, maintain, repair, modify, or replace facilities or installations of such agencies within or adjacent to these reservations; and to install any additional services or utilities that are necessary to be installed through or upon, or in the vicinity of, these reservations.

(c) A right-of-way, through Curundu Army Reservation, over a strip of land 10 feet each side of the centerline of the railroad tracks, between monument "B" (Parcel No. 4) of Albrook Air Force Base and monument No. 68 (Parcel No. 2) of Albrook Air Force Base, is reserved for the Air Force.

SEC. 3. This order supersedes (1) Executive Order No. 3207 of December 30, 1919, which established Curundu Military Reservation, including Fort Clayton, the Panama Arsenal, the Engineer Depot, the Post of Corozal, and Albrook Field, (2) Executive Order No. 6713 of May 21, 1934, which corrected the description of the said reservation, (3) Canal Zone Order No. 26 of March 18, 1952, which revised the boundary of Parcel No. 1 of said reservation, (4) Canal Zone Order No. 27 of April 18, 1952, which revised the boundary of Parcel No. 1 of said reservation and created new Parcels Nos. 1-A and 1-B.

(Sec. 4, 37 Stat. 561; 2 C. Z. Code 5, 48 U. S. C. 1305)

FRANK PACE, JR.,
Secretary of the Army.

SEPTEMBER 26, 1952.

[F. R. Doc. 52-10962; Filed, Oct. 9, 1952; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 8736, 8975, 8976, 9175]

PART 3—RADIO BROADCAST SERVICES

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975;

amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the Band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. The Commission has before it for consideration its "Notice of Further Rule Making" (FCC 52-817) issued in these proceedings on August 4, 1952. The Commission stated in the Memorandum Opinion accompanying the above Notice that upon reconsideration it had determined that it was in error in concluding in the "Sixth Report and Order" that "it was necessary to leave Lafayette without any VHF assignment in order to make one available to Alexandria, Louisiana." In the Memorandum Opinion the Commission reaffirmed the decision to assign Channel 5 to Alexandria, but pointed out that such assignment could be accomplished without depriving Lafayette, Louisiana of a VHF assignment. In order to correct the Sixth Report and to assign a VHF channel to Lafayette, the Commission proposed in the aforesaid Notice of Further Rule Making to make the following changes in the channel assignments:

City	Channel, delete—	Number, add—
Baton Rouge, La.....	10	2
New Orleans, La.....	*2	*8
Mobile, Ala.....	8	10
Lafayette, La.....		10

2. The Commission therefore proposed to amend the table of assignments contained in § 3.606 of the Commission's rules and regulations to read as follows:

	Channel No.
Alabama:	
Mobile.....	5+, 10+, *42, 48+.
Louisiana:	
Baton Rouge....	2, 28, *34, 40—.
Lafayette.....	10, 38—, 67.
New Orleans....	4+, 6+, *8, 20—, 32+, 61.

3. The Commission also stated in the above notice that during the pendency of this matter applications would not be processed for television stations on Channel 10 in Baton Rouge, Channel 2 in New Orleans, Channel 8 in Mobile and Channel 5 in Alexandria.

4. Camellia Broadcasting Company, Inc., Lafayette, Louisiana filed a comment on August 28, 1952 supporting the proposed assignment of VHF Channel 10 in Lafayette.

5. On September 3, 1952, Alexandria Broadcasting Company, an applicant for a television station on Channel 5 in Alexandria, Louisiana, filed a comment in response to the above Notice of Further Rule Making. Alexandria Broadcasting Company supports the Commission's proposed assignments but urges that since the Commission has reaffirmed the assignment of Channel 5 to Alexandria, the processing of applications for that channel should not be upheld during the pendency of this proceeding.

6. James A. Noe, New Orleans, Louisiana, filed a comment in the above-entitled proceeding on August 25, 1952. James A. Noe urges that while the pro-

posed changes in channel assignments "would satisfy the demand for a VHF channel in Lafayette without depriving any other community of such a channel, it would not provide for the maximum or most efficient distribution of the VHF channels in the area." James A. Noe submits that these objectives could be realized by a different rearrangement of channel assignments which would also afford an additional VHF assignment to New Orleans. This would be accomplished by assigning Channel 3 to Baton Rouge, Louisiana in place of Channel 2 as proposed by the Commission, and by assigning both channels 2 and 8 to New Orleans rather than substituting Channel 8 for Channel 2 in that community as proposed by the Commission. James A. Noe urges that under these proposed assignments no city would be deprived of a VHF assignment nor would the number of assignments to any city be reduced, while all separation requirements would be met. It is pointed out that New Orleans has a population of almost 700,000 within its metropolitan area and is the twenty-second largest market in the United States, and it is urged that an additional VHF channel in New Orleans might permit the authorization of two new VHF stations in that community without the necessity of a comparative hearing. Finally, James A. Noe contends that "in any event, New Orleans eventually would be better supplied with television broadcasting service than the Commission's present proposal contemplates."

7. On September 5, 1952, Lamar Life Insurance Company, Jackson, Mississippi filed an opposition entitled "Comments on the 'Comments and Counterproposal of James A. Noe' ". Lamar Life Insurance Company points out that it has before the Commission a "Petition for Reconsideration or Rehearing" of the Commission's action in its "Sixth Report and Order" deleting VHF Channel 3 from the assignments to Jackson, Mississippi. That petition for reconsideration requests that VHF Channel 3 be reassigned to Jackson. In its opposition to the James A. Noe comment, Lamar Life Insurance Company submits that this comment represents an attempt to change substantially the substance and effect of the Commission's Lafayette rule making proposal. Lamar contends that the Commission proposed to conduct rule making proceedings for the limited and sole purpose of providing a VHF television channel assignment to Lafayette, while the James A. Noe comment was offered "for the exclusive and sole purpose of trying to secure the assignment of an additional VHF channel to New Orleans." Lamar maintains that the Table of Assignments may be amended in only two ways: (1) By the timely filing of a petition for reconsideration; or (2) by the filing of a petition for rule making to amend the table. Lamar argues that the time for filing a petition for reconsideration, 20 days from the effective date of the order, has passed and that, accordingly, James A. Noe could not file a petition for reconsideration at this date. Further, it was argued that if the James A. Noe comments are intended to be a petition to amend the Table of As-

signments, the one year waiting period prescribed by § 3.609 of Commission's rules precludes consideration of the request at this time. Lamar Life Insurance Company points out that the proposal of James A. Noe conflicts with its own petition for reconsideration seeking the assignment of VHF Channel 3 to Jackson, Mississippi since the assignment of Channel 3 to Baton Rouge would not meet the required minimum separation to a co-channel assignment at Jackson.

8. On August 29, 1952, a joint comment and proposal was filed in the above-entitled proceeding by Baton Rouge Broadcasting Company, Inc. and Air Waves, Inc., both of Baton Rouge, Louisiana. This joint comment urges the adoption of a proposal which would achieve "all of the desired results set forth in the aforesaid notice and making possible at the same time the addition of a second VHF channel in Baton Rouge, all of which can be accomplished without reducing the total number of assignments to any city." It was pointed out that Baton Rouge has a population of 125,629, is the capital of the State of Louisiana, and is its third largest city. The proposed assignments suggested by the joint comments are as follows:

City	Add Channel	Delete Channel
Lake Charles, La.	16	7
Lafayette, La.	7	
Baton Rouge, La.	2, 13	10
Mobile, Ala.	3	8
New Orleans, La.	8	*2
Pensacola, Fla.	13	3
Biloxi, Miss.	10	13

It was also urged as an alternative proposal that the following assignments could be made thereby also permitting an additional assignment to Baton Rouge and Lake Charles, La.:

City	Add Channel	Delete Channel
Lake Charles, La.	10, 12	7
Lafayette, La.	7	
Baton Rouge, La.	2, 13	10
Mobile, Ala.	3	8
New Orleans, La.	8	*2
Pensacola, Fla.	13	3
Biloxi, Miss.	10	13
Little Rock, Ark.	12	11
Shreveport, La.	11	12

It should be noted that in both of the above proposals suggested by Baton Rouge Broadcasting Company, Inc. and Air Waves, Inc., Channel 3 would be assigned to Mobile, Alabama. This assignment would not meet the required minimum spacing to the assignment of Channel 3 in Jackson, Mississippi. Accordingly, these proposals would also preclude a grant of the petition for reconsideration of Lamar Life Insurance Company seeking the assignment of Channel 3 to Jackson, Mississippi. On September 15, 1952, Calcasieu Broadcasting Company, Lake Charles, Louisiana, filed a "Comment to Proposal of Baton Rouge Broadcasting Company, Inc. and Air Waves, Inc." Calcasieu Broadcasting Company notes that one of the alternative proposals of Baton Rouge Broadcasting Company, Inc. and

Air Waves, Inc. would permit the additional assignment of VHF Channel 12 to Lake Charles, Louisiana. It was stated that there are presently pending two mutually exclusive applications for the one VHF Channel, Channel 7, presently assigned to Lake Charles. These are the applications of Calcasieu Broadcasting Company and of Sowela TV, Inc. It was urged that the adoption of the alternative proposal "would make possible the establishment of two VHF commercial television stations in Lake Charles, without a hearing instead of only one station after a lengthy and costly hearing." Accordingly, Calcasieu Broadcasting Company supports the proposal of Baton Rouge Broadcasting Company, Inc. and Air Waves, Inc.

9. The proposal filed in this proceeding by Baton Rouge Broadcasting Company, Inc., and Air Waves, Inc., is designed to add an additional channel to Baton Rouge, Louisiana, and alternatively, to Baton Rouge and Lake Charles, Louisiana. Insofar as this proposal requests an immediate assignment to Baton Rouge or Lake Charles of a channel not previously assigned to that community, it cannot be entertained at this time. The request for an additional channel in Baton Rouge or Lake Charles was not timely made in a petition for reconsideration of the Sixth Report, and such a request may not be considered during the one-year waiting period prescribed by § 3.609 of the rules. Nor can we accept the argument that the proposal should, nevertheless, be considered since it would make possible the assignment of an additional channel to Baton Rouge at the end of the one-year period prescribed by § 3.609 of the rules. The Commission has made changes in the Assignment Table only on its own motion or on timely petitions filed for reconsideration where necessary to correct errors in the Sixth Report. And in correcting errors, the Commission has sought to keep the resultant changes in the Assignment Plan to a minimum. (See, for example, our Memorandum Opinion and Order issued in Docket 10244 FCC 52-1039.)

10. Such limitation upon Commission action and the further limitation prescribed by § 3.609 for the consideration of new proposals to amend the Table of Assignments are essential to the prompt establishment of a nationwide television service. For stability in the channel Assignment Plan is necessary to permit applicants to make all necessary preparations for the submission of applications for television channels, and upon appropriate authorization therefor to construct television stations. In addition, as we pointed out in the Sixth Report, the information and experience which we will acquire during this one-year waiting period will be of great value in determining future policy in channel assignments. Moreover, this one-year period permits the Commission to devote the maximum attention to the processing of television applications. In the present case the method proposed by the Commission for correcting the erroneous deletion of a channel from Lafayette necessarily effects changes in the channels in certain communities, but the

Baton Rouge proposal would effect changes in several additional communities. To the extent that the Baton Rouge proposal would make such additional changes in the final assignment plan which are not required in order to correct the Lafayette error, it would unnecessarily disrupt the stability of the Assignment Table. For the reasons above stated, we consider such disruption highly undesirable.

11. The proposal filed by James A. Noe is subject to some of the same infirmities as the Baton Rouge proposal reviewed above. It, too, is designed to effect the assignment of an additional channel at this time to a community other than Lafayette; and we would not, under any circumstances, entertain such a proposal prior to the expiration of the one-year waiting period. The James A. Noe proposal, however, differs from the Baton Rouge proposal in that it suggests channel changes only in those communities where the Commission's proposed rule would also make changes. But if this fact should lead us to consider the Noe proposal on its merits, we should, nevertheless, be constrained to deny it. In the Sixth Report the Commission assigned to New Orleans 3 VHF channels and 4 UHF channels, with one of the VHF channels reserved for education. We are of the view that the assignment of a second VHF channel to Jackson is to be preferred over the assignment of a fourth VHF channel to New Orleans. The City of New Orleans is, of course, more important than the City of Jackson in terms of size, population and economic factors; and the number of assignments which we made to New Orleans as compared to Jackson is, in fact, based on those differences. Nevertheless, Jackson is a large and important community with a population of 98,000 persons in the city proper and a population of 142,000 persons within the metropolitan area. We have determined as a principle of assignment, followed consistently throughout the Sixth Report in the consideration of counterproposals filed in the television proceeding, that we would assign a second VHF channel to a city of the size and importance of Jackson before we would assign a fourth VHF channel to any city. The James A. Noe counterproposal must be denied. We are this day, by a separate Memorandum Opinion and Order, granting the petition for reconsideration seeking the assignment of Channel 3 to Jackson.

12. None of the comments filed in this proceeding opposed the assignment of an additional VHF channel to Lafayette. We are of the view that the assignments proposed in our Notice of Further Rule Making should be adopted. Alexandria Broadcasting Company has urged that the suspension of the processing of applications for television station on Channel 5 in Alexandria, Louisiana should not be continued. The Commission suspended the processing of applications for Channel 5 in Alexandria because of the pendency of the instant rule making proceeding. Since we have finally determined by our action herein to assign Channel 10 in Lafayette no further purpose would be served by the continued suspension of processing of appli-

cations for Channel 5 in Alexandria and such applications will again be processed.

13. In view of the foregoing: *It is ordered*, That, effective 30 days from the date of publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended to read as follows:

Alabama:	Channel No.
Mobile.....	5+, 10+, *42, 48+.
Louisiana:	
Baton Rouge..	2, 28, *34, 40-.
Lafayette.....	10, 38-, 67-.
New Orleans..	4+, 6+, *8, 20-, 26, 32+, 61.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: September 25, 1952.

Released: September 30, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-10987; Filed, Oct. 9, 1952;
8:51 a. m.]

PART 7—STATIONS ON LAND IN THE
MARITIME SERVICE

PART 8—STATIONS ON SHIPBOARD IN THE
MARITIME SERVICE

SPECIAL REQUIREMENTS FOR RADIOTELE-
PHONE TRANSMITTERS

In the matter of amendment of §§ 7.137 and 8.137 of the Commission's rules.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of September 1952:

The Commission having under consideration the provisions of §§ 7.137 and 8.137 of its rules regarding the requirements that certain coast and ship stations operating on frequencies above 30 Mc utilize transmitters which have been type accepted and include provision for automatically limiting modulation;

It appearing, that several of such stations, whose current authorization expires November 1, 1952, utilize transmitters which do not meet the above requirements, and will thereby be precluded from continued operation unless the transmitters are replaced or modified; and

It further appearing, that the requirements referred to were incorporated into the Commission's rules, effective July 23, 1951, and that it would be desirable to permit a further amortization period for equipment investments; and

It further appearing, that on January 1, 1955 a further equipment requirement will become applicable to many of such stations in that they must then be capable of operation on at least three radio channels and licensees may again be required to replace, modify or add to equipment; and

It further appearing, that it would be in the public interest to amend the Commission's rules to permit the con-

¹ Commissioner Sterling not participating.

tinued licensing of such stations until January 1, 1955, subject to a condition that no harmful interference be caused thereby to the service of any other station by reason of unauthorized emissions; and

It further appearing, that because of the necessity of avoiding interruption of the service of such stations the rule amendments herein ordered are urgent in nature and compliance with the public rule making procedures provided for in section 4 (a) of the Administrative Procedure Act is impracticable, and for the same reason and because those amendments relieve a restriction, they may be made effective immediately;

It is ordered, Under authority of sections 303 (c), (e), (f), and (r) of the Communications Act of 1934, as amended, that, effective immediately, Parts 7 and 8 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: September 29, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

1. Section 8.137 is amended as follows:
a. The last sentence of paragraph (a) is amended to read as follows: "This requirement, however, shall not apply (1) to transmitters incapable of a plate input power exceeding three watts which are authorized for marine-utility stations and other stations of portable nature; nor (2) to any transmitter capable of operation exclusively at a frequency or frequencies above 30 Mc which was first authorized in a particular station license for use in the Maritime Mobile Service granted in behalf of a particular licensee prior to November 1, 1952, when that transmitter is authorized in a ship station license or a marine utility station license granted in behalf of the same licensee and having a date of expiration not later than December 31, 1954."

b. Subparagraph (1) of paragraph (c) is amended by adding new sentences at the end of subparagraph (1) to read as follows: "This requirement, however, shall not apply to any transmitter capable of operation exclusively at a frequency or frequencies above 30 Mc which was first authorized in a particular station license for use in the Maritime Mobile Service granted in behalf of a particular licensee prior to November 1, 1952, when that transmitter is authorized in a ship station license or a marine utility station license granted in behalf of the same licensee and having a date of expiration not later than December 31, 1954. In the event the operation of any such transmitter causes harmful interference to the service of any station, by reason of unauthorized emission, the Commission may, in its discretion, require that the use of such transmitter be discontinued until it has been type accepted pursuant to the foregoing provisions of this subparagraph."

2. Section 7.137 (b) (1) is amended by adding the following sentences at the end of subparagraph (1): "This require-

ment, however, shall not apply to any transmitter capable of operation exclusively at a frequency or frequencies above 30 Mc which was first authorized in a particular station license for use in the Maritime Mobile Service granted in behalf of a particular licensee prior to November 1, 1952, when that transmitter is authorized in a coast station license or a marine utility station license granted in behalf of the same licensee and having a date of expiration not later than December 31, 1954. In the event the operation of any such transmitter causes harmful interference to the service of any station, by reason of unauthorized emission, the Commission may, in its discretion, require that the use of such transmitter be discontinued until it has been type accepted pursuant to the foregoing provisions of this subparagraph."

[P. R. Doc. 52-10994; Filed, Oct. 9, 1952; 8:49 a. m.]

[Docket No. 9898]

PART 11—INDUSTRIAL RADIO SERVICES

PART 16—LAND TRANSPORTATION RADIO SERVICES

RELAY STATIONS

In the matter of a new policy on licensing of relay stations in the Industrial and Land Transportation Radio Services, Parts 11 and 16, respectively; Docket No. 9898.

These proceedings were instituted on February 17, 1951, by a Notice of Proposed Rule Making (Docket No. 9898) with respect to a revision of Part 11, Rules Governing Industrial Radio Services, and Part 16, Rules Governing Land Transportation Radio Services, to permit licensing of Mobile Relay Stations in these Services in certain situations where it appeared that no other satisfactory solution to an applicant's communication problem was possible. As a result of the comments filed in that proceeding, the Commission, on August 15, 1951, released a Report and Order making final certain parts of the proposal. Concurrently, with the issuance of the aforesaid Report and Order, a Further Notice of Proposed Rule Making was issued in the matter in which the following questions were designated for hearing:

(a) To determine under what circumstances, if any, Mobile Relay Stations should be licensed under Parts 11 and 16 of the Commission's rules for the purpose of providing extended-range point-to-mobile communications; and,

(b) To determine under what circumstances, if any, Operational Fixed (Control) Stations, associated with Mobile Relay Stations licensed under Parts 11 and 16 of the Commission's rules, should be permitted to operate on frequencies allocated to the Mobile Service.

The hearing was held on May 26, 1952, before Commissioner Bartley. Witnesses appeared on behalf of the Rural Electrification Administration, the National Rural Electric Cooperative Association, the National Committee for Utilities Radio, the Central Committee on Radio

Facilities of the American Petroleum Institute, the Association of American Railroads, National Bus Communications, Inc., the Hawaiian Sugar Planters Association and Motorola, Inc.

Entwined in both issues is the problem of point-to-point operation on mobile service frequencies. However, there is one very important difference. Issue A would enlarge the class of persons eligible for mobile relay operations and, unless controlled carefully, would tend to emasculate by indirection the Commission's oft repeated general policy of prohibiting use of mobile service frequencies for fixed service operations. Issue B, on the other hand, would not, theoretically at least, increase the number of persons who could qualify since it relates only to the manner in which a system may be used once one has been obtained.

At this point we would like to comment briefly on a line of reasoning that ran through the testimony of most of the witnesses. It relates to the implications inherent in their testimony that failure to extend the use of mobile relay systems to encompass these point-to-point operations would be wasteful of spectrum space since, instead of using two frequencies per conversation, three or four would be needed. What such reasoning loses sight of is the fact that the additional frequencies used are those allocated to the fixed service and, as all of the witnesses know, mobile service frequencies are much more congested than those of the fixed service. Furthermore, presently known techniques limit the amount of spectrum space that can be used for mobile operations. Until, therefore, the demands for mobile service are satisfied it is extremely misleading to lump together frequencies available for both services without distinguishing between them. That the parties were aware of the mobile problem is apparent since all were agreed that all use of mobile service frequencies for fixed operations should be on a no interference basis to the mobile use.

At present, all Fixed Control Stations licensed in the Industrial and Land Transportation Service are required to operate on frequencies allocated to the fixed services. Since every mobile relay system requires the use of at least two mobile service frequencies, it had been proposed in the Notice of Proposed Rule Making issued February 7, 1951, to permit persons eligible for mobile relay systems to use one of these frequencies for control purposes.

Upon reconsideration, however, it was believed that the adoption of such a rule might discriminate in favor of those who could qualify for Mobile Relay Stations as against users of conventional systems who still would be limited to fixed frequencies for control purposes. Furthermore, there was some question as to whether such use would add to the already heavy communication burden borne by frequencies necessary primarily for mobile operations. Accordingly, it was decided to afford interested persons an opportunity to be heard specifically on the question.

All comments filed and all persons present at the hearing favored the adop-

tion of a rule which would permit use of the frequency assigned to the mobile station for control purposes in mobile relay systems. Testimony on this point was to the effect that mobile service frequency utilization would be substantially unchanged by the increase in air time on the mobile station frequency because permitting both sides of a two-way conversation on this frequency instead of only one side does not sacrifice usable air time of other licensees due to the short intervals involved. As to the possibility that such use might be discrimination of a sort, the Commission, upon re-examination of the question, does not believe that as a practical matter any discrimination in fact exists. To be eligible for a mobile relay system, an applicant must make an extensive showing of need. This entitles him to use two frequencies, a use that is justified by the economic and operational considerations unique to such systems. Since the use of one of these frequencies for control purposes would not materially increase the air time of that frequency, no substantial injury is caused to those persons who do not qualify for mobile relay. It appears, therefore, that to deny such use would simply be the imposition of an artificial limitation for no valid reason. Accordingly, we are amending Parts 11 and 16, Rules Governing Industrial and Land Transportation Radio Services, respectively, as shown in the attached Appendix, to permit use of the mobile station frequency for control purposes in mobile relay systems.

In this connection, however, we wish to make the following observations. All mobile relay systems require at least two mobile service frequencies. While it is true that a number of so-called conventional systems also require two mobile frequencies, there is an important distinction between the two. No conventional system involves the simultaneous transmission of a single message on more than one fixed service frequency and one mobile service frequency at a time. In the case of most, if not all, mobile relay systems, each conversation will now appear simultaneously on both of the mobile service frequencies. The only justification for this extravagance in spectrum usage is operational necessity. The Commission, therefore, will continue to scrutinize carefully all applications for mobile relay systems to make certain that the applicant, in fact, has a substantial requirement for prompt mobile-to-mobile communication over ranges greater than can be realized consistently by direct communication. We will take every precaution to guard against the possibility of using mobile relay systems in cases where the chief reason for the system is the cost that would be involved in setting up a two-way control link on fixed service frequencies.

A basic feature of the original proposal was to restrict the use of Mobile Relay Stations to those situations where an applicant could show a substantial requirement for extended range mobile-to-mobile communications greater than that obtainable by direct car-to-car communications. While this met with the approval of most of those interested, the railroads asked that the concept be

expanded to permit eligibility for a mobile relay system in those cases where a person has a requirement for extending the range between his control station and his mobile units. The Association of American Railroads presented extensive testimony in support of this position. They were joined by the representative of National Bus Communications, Inc. and to a lesser extent by the representative of the Central Committee on Radio Facilities of the American Petroleum Institute.

Basically, the argument of the railroads is that while there is some need in Railroad Radio Service for the mobile-to-mobile type of communication, particularly in freight yards where cars are moved about by yard engines, the greater needs are on mainline operations in the point-to-train type of service. In present practice the mainline radio system consists of a series of base stations on or along the characteristically long, narrow railroad right-of-way. These stations are controlled locally or remotely by wire or carrier from a railroad wayside office or offices open twenty-four hours daily. These base stations are so spaced that each will provide direct communication with trains within its radial range of about five to twenty miles, dependent upon whether it is located in flat, rolling or mountainous terrain and other factors. However, on many railroads the distances between the aforementioned wayside offices is often so great that one or more intermediate base stations may be required to provide full radio coverage. It would be exceedingly costly if each of these intermediate stations had to be individually manned. While it is possible to control these intermediate stations remotely by wire or carrier circuits, these methods ordinarily are not as reliable as control by radio. In this connection, the railroads point out that since it is general practice to utilize two frequencies on roads employing both end-to-end and point-to-train communication, the use of one of these frequencies to relay traffic automatically at these stations would not increase the number of frequencies required.

Since almost every licensee and potential licensee has at one time or another some occasion to communicate with distant mobile units, a blanket eligibility proviso permitting anyone to qualify for mobile relay if he can show a requirement to extend the range between his base station and his mobile units is entirely impracticable. It would be tantamount to taking all restrictions off the use of mobile relay stations. All present at the hearing agreed that indiscriminate licensing of mobile relay systems was not desirable, but that it should be secondary to conventional operations. There just are not enough frequencies to permit such a thing to happen in all services. Not only would the numbers of frequencies required be increased, but the frequency assignment problem also is increased by the fact that the two frequencies which are assigned must be fairly widely separated—something on the order of half a megacycle at least with more separation being desirable. Since frequencies are

allocated, in general, on a block basis and many of the blocks are too narrow to give the necessary separation, we would be faced with the prospect of imperfect utilization or a general re-allocation proceeding if Mobile Relay ever becomes the typical system design. Both alternatives are highly undesirable.

The Commission is of the opinion, however, that railroad and possibly bus operations differ sufficiently from those of most other users of radio to warrant separate consideration. The railroad industry has little or no occasion for long range train-to-train communication and so cannot qualify for mobile relay stations under present rules. By expanding the concept, however, to permit them to be eligible for the purpose of extending point-to-train communications, many wayside wire line circuits used for control purposes could be eliminated. In many parts of the country, this would result in substantial improvement in reliability of communications, an important consideration in safe and efficient railroad operation. However, the Commission believes that such systems should be limited in scope in order that the true purpose will be to facilitate mobile service operations and not a desire to substitute VHF point-to-point for microwaves. There are frequencies available for point-to-point operations and they should be used if that is the requirement.

While everything in the preceding paragraph could apply to the intercity bus industry, since they are in fact precluded from any form of mobile relay operation because there are no mobile service frequencies above 47 Mc suballocated to the Intercity Bus Service (see Report and Order of August 15, 1951, p. 4, Docket No. 9898), no provision is made for this industry at this time. As to the petroleum industry, while they demonstrated a sound need for the use of a mobile frequency for control purposes in mobile relay systems, we are of the opinion that their operations do not require extension of the mobile relay concept for the purpose of extending the range of point-to-mobile communications.

The Commission, therefore, is prepared to issue authorizations on a developmental basis in the Railroad Radio Service for the purpose of extending the range of point-to-train communications in mainline operations. This action enlarges only the scope of eligibility for mobile relay systems in the Railroad Radio Service. All technical considerations governing mobile relay operations currently found in the rules governing the Railroad Radio Service will be equally applicable to the new operations. In addition, it will be noted that the frequency assignment plan promulgated by the Association of American Railroads and used by the Commission in making assignments provides for the use of two and only two mobile service frequencies by each of the nation's railroads for mainline operations. During this developmental program either or both of these frequencies will have to be used in any mobile relay system applied for. No other frequencies will be assigned.

In view of the foregoing considerations and determinations, and pursuant to the

authority contained in section 4 (1), 301 and 303 of the Communications Act of 1934, as amended, it is ordered this 24th day of September 1952, that:

1. The foregoing report is adopted.
2. Part 11, Industrial Radio Services, and Part 16, Land Transportation Radio Services, are amended as set forth below, effective November 3, 1952.
3. The proceedings in Docket 9898 are terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 48 Stat. 1081, as amended, 1082, as amended; 47 U. S. C. 301, 303)

Released: September 29, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary,

1. a. Section 11.7 *Relay stations*, is amended by deleting the present paragraph (b) (7) and by substituting the following:

(b) *Mobile relay stations.* * * *

(7) An operational fixed (control) station associated with one or more mobile relay stations may be assigned any frequency available for assignment to operational fixed stations or, at the option of the applicant, the mobile service frequency assigned to the associated mobile station. Use of the mobile service frequency by such operational fixed (control) stations is subject to the condition that harmful interference shall not be caused to stations of other licensees operating in the mobile service in accordance with the table of frequency allocations as set forth in Part 2 of the Commission's rules.

b. Add a new paragraph (b) (10) as follows:

(10) A base station which is used intermittently as an operational fixed (control) station for one or more associated mobile relay stations of the same licensee will be authorized to operate only on the mobile service frequencies assigned to the associated mobile relay station and/or mobile station. Special authority for such dual station classification and use must be shown in the instrument of station authorization.

2. a. Section 16.355 *Relay stations* is amended by deleting the present paragraph (b) (7) and by substituting the following:

(b) *Mobile relay stations.* * * *

(7) An operational fixed (control) station associated with one or more mobile relay stations may be assigned any frequency available for assignment to operational fixed stations or, at the option of the applicant, the mobile service frequency assigned to the associated mobile station. Use of the mobile service frequency by such operational fixed (control) stations is subject to the condition that harmful interference shall not be caused to stations of other licensees operating in the mobile service in accordance with the table of frequency allocations as set forth in Part 2 of this chapter.

6. Add a new paragraph (b) (10) as follows:

(10) A base station which is used intermittently as an operational fixed (control) station for one or more associated mobile relay stations of the same licensee will be authorized to operate only on the mobile service frequencies assigned to the associated mobile relay station and/or mobile station. Special authority for such dual station classification and use must be shown in the instrument of station authorization.

[F. R. Doc. 52-10985; Filed, Oct. 9, 1952; 8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 891]

SUBSTITUTION OF STOCK CARS FOR BOX CARS TO TRANSPORT FRUIT AND VEGETABLE CONTAINERS AND BOX SHOOKS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of October A. D. 1952.

It appearing, that fruit and vegetable containers, box shooks and other packing material are now moving in box cars from origins in the States of Washington, Oregon and California, to destinations in the States of Washington, Oregon, California, Nevada and Arizona; that the substitution of stock cars for such box cars will release the box cars for other and more essential transportation; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of equipment: It is ordered, that:

§ 95.891 *Substitution of stock cars for box cars to transport fruit and vegetable containers and box shooks—Transportation of fruit and vegetable containers, box shooks or other packaging or packing materials.* (a) Any common carrier by railroad subject to the Interstate Commerce Act transporting fruit and vegetable containers, box shooks or other packaging or packing materials, in carloads, from origins located in the States of Washington, Oregon and California, to destinations in the States of Washington, Oregon, California, Nevada and Arizona may, at their option, furnish and transport not more than two (2) stock cars (Southern Pacific Series 70300-77775) in lieu of each box car ordered, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car.

(b) *Application.* The provisions of this section shall apply to shipments moving in intrastate commerce as well as to those moving in interstate commerce.

(c) *Effective date.* This section shall become effective at 12:01 a. m., October 8, 1952.

(d) *Expiration date.* This section shall expire at 11:59 p. m., December 31, 1952, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(e) *Rules and regulations suspended.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

It is further ordered, that this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL]

GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-10981; Filed, Oct. 9, 1952; 8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter B—Hunting and Possession of Wildlife

PART 6—MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Basis and purpose. On the basis of investigations and information received relating to serious depredations to agricultural crops occurring or likely to occur in certain areas of California, it has been determined that these depredations may be alleviated by reducing, in a portion of the State, the distance limitation between feed and where a hunter is stationed and shortening the specified period of time that must elapse between the placing or presence of feed which is likely to attract certain migratory birds to a hunting area and the opening date of the hunting season for such birds.

Since the following amendatory regulation is a relaxation of existing restrictions applicable to the hunting of waterfowl, notice and public procedure thereon are not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, the first paragraph of section 6.3 (b) of the regulations under the Migratory Bird Treaty Act (40 Stat. 755; 16 U. S. C. 704) is amended to read as follows:

(1) Waterfowl, coot, gallinules, doves, and pigeons may not be taken under any circumstances by the aid of salt, or

shelled, shucked, or unshucked corn, wheat or other grains, or other feed similarly used to lure, attract, or entice such birds to, on, or over the area where hunters are attempting to take them. In addition, such birds may not be taken within one-half mile of any place where salt, or shelled, shucked, or unshucked corn, wheat, or other grains, or other feed of similar use in attracting such birds is placed, exposed, deposited, distributed, scattered, or present at any time during or within two weeks prior to the open season on such birds: *Provided*, That during the 1952 waterfowl season in the California counties of Glenn, Butte, Colusa, Sutter, Yuba, Placer (west of a line running north and south through the city of Auburn), Yolo, Solano, Sacramento, Contra Costa, San Joaquin, Stanislaus, Merced, Madera, and Fresno the two-weeks period specified herein shall be reduced to two days and the one-half mile limitation reduced to 300 yards.

(Secs. 3, 4, 40 Stat. 755, as amended; 16 U. S. C. 704, 705)

Dated: October 6, 1952.

VERNON D. NORTHROP,
Acting Secretary of the Interior.

[F. R. Doc. 52-10963; Filed, Oct. 9, 1952; 8:45 a. m.]

Subchapter C—Management of Wildlife Conservation Areas

PART 31—PACIFIC REGION

SUBPART—FORT PECK GAME RANGE, MONTANA HUNTING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service and of the Montana Fish and Game Commission, it has been determined that the public hunting of waterfowl can be permitted on additional lands of the Fort Peck Game Range without interfering with the primary purpose of the refuge.

Inasmuch as the following regulation is a relaxation of existing regulations applicable to the Fort Peck Game Range, notice and public procedure thereon are not required (60 Stat. 237; 5 U. S. C. 1001, et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, § 31.127 is revised to read as follows:

§ 31.127 *Area open to hunting.* The lands of the United States in the following portions of T. 26 N., R. 41 E., M. P. M., as designated by posting by the officer in charge, shall be open to the public hunting of migratory waterfowl and coots:

Sec. 3, all,
Sec. 10, W $\frac{1}{2}$ west of the road to the dam,
Sec. 15, NW $\frac{1}{4}$, and portions of the NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 16, NE $\frac{1}{4}$, and portions of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$.

(45 Stat. 1224; 16 U. S. C. 7151)

Dated: October 3, 1952.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 52-10976; Filed, Oct. 9, 1952; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 692]

RAILROAD, RAILWAY EXPRESS AND
PROPERTY MOTOR TRANSPORT INDUSTRY
IN PUERTO RICO

NOTICE OF POSTPONEMENT OF HEARING

On August 30, 1952, there was published in the FEDERAL REGISTER a notice of hearing on the minimum wage recommendations of Special Industry Committee No. 12 for Puerto Rico for a number of specified industries in Puerto Rico. Said notice stated that the hearing on the recommendations of the Committee for the Railroad, Railway Express and Property Motor Transport Industry in Puerto Rico would be held on October 14, 1952. Notice is hereby given that the hearing on the recommendations of the Committee for this industry is postponed until November 18, 1952, in Room 5406, Department of Labor Building, Washington 25, D. C. In all other respects, the hearing shall be governed by the provisions of the original notice of hearing published in the FEDERAL REGISTER on August 30, 1952.

Signed at Washington, D. C., this 6th day of October 1952.

WM. R. McCOMB,
Administer,
Wage and Hour Division.

[F. R. Doc. 52-10994; Filed, Oct. 9, 1952;
8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

REALLOCATION OF FREQUENCIES

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 2.104 (a) of the rules and regulations with respect to the allocation of frequencies between 450-460 Mc; Docket No. 10323.

1. Notice is hereby given of proposed rule making in the above entitled matter, as set forth below.

2. It is proposed to amend § 2.104 (a) of Part 2 of the Commission's rules to reallocate the frequencies in the band 450-460 Mc in such a manner as to make possible greater flexibility in their assignment and use by a majority of the services involved. This is to be achieved by providing greater separation between the frequencies assignable to a particu-

lar service. The total number of frequencies available to each of the five services allocated space in this band is not changed.

3. A series of field tests conducted by interested persons appears to demonstrate that frequencies in this part of the spectrum are suitable for land mobile communication systems, at least in urban areas. It also appears, however, that the direct mobile-to-mobile range is quite short when compared to that obtained with similar installations in the 25-50 Mc and 152-174 Mc bands. One method of overcoming this disadvantage is to permit automatic relaying between the mobile units via a mobile relay station. Since it is necessary to transmit and receive simultaneously at such relay locations, the present allocation makes it difficult to consider making provision for this type of operation by those who eventually may desire it, due to the small separation in frequencies presently obtainable. The proposed change in allocations makes future consideration of this solution more practical.

4. The type of service offered by some communications carriers in the Domestic Public Land Mobile Radio Service requires that the base station transmit continuously during a two-way conversation. Lack of adequate frequency separation between the base station and mobile station frequencies in the present Domestic Public Land Mobile Service band 458-460 Mc is a factor which has retarded development of public service in this band. The proposed change in allocations would appear to eliminate this factor.

5. Commercial equipment suitable for land mobile service in the 450-460 Mc band is now becoming available in quantity. Since a change in allocations of the type proposed will require that many of the existing users of the band ultimately change frequency, the change should be made as quickly as possible to minimize the inconvenience and cost involved, if it is to be made at all. Although some changes in frequency assignments will be necessary if the proposal is adopted, a study of the Commission's frequency assignment lists indicates that the proposal, in its present form, will result in the fewest number of changes consistent with the objectives of the proposal.

6. Permittees and licensees of stations in the band 450-460 Mc will be allowed one year from the date of final action on these proposed rules to change frequency in any case where the presently assigned frequency becomes unavailable

for continued use as a result of these proposed allocation changes.

7. Effective immediately, and until the proceedings in this docket are terminated, station authorizations other than Class 1 Experimental will be granted subject to the condition that the applicant change frequency, as may be necessary, no later than 90 days after the termination of these proceedings. Accordingly, it would appear to be unwise to make large scale investment in equipment on these frequencies during this period.

8. If this proposed rule making is made final in its present form, it will be necessary to amend Parts 4, 6, 10, 11, and 16 to reflect the change in allocations. This will be accomplished by a series of separate actions.

9. Authority for this rule proposal is vested in the Commission by sections 4 (i), 303 (c), (f), (g) and (h) of the Communications Act of 1934, as amended.

10. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before October 20, 1952, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

11. In accordance with the provisions of § 1.784 of the Commission rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: September 24, 1952.

Released: September 29, 1952.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

1. Change the Commission's Table of Frequency Allocations, § 2.104 (a) as follows:

a. Delete the entries in column 11 opposite the frequency band 450-460 Mc in column 7.

b. Substitute the following entries in lieu thereof:

On February 21, 1951, the Judicial Officer of the Department of Agriculture, after consideration of the evidence obtained at said hearing, ordered that the hearing be reopened in order to obtain additional information with respect to the facts alleged in the complaint and notice of hearing and the question of whether it would be in the public interest to revoke said authorization.

Pursuant to the said order issued by the Judicial Officer on February 21, 1951, the hearing was ordered reopened. Notice is hereby given that the hearing in this matter will be held on October 27, 1952, at 10:00 o'clock a. m., c. s. t., in the District Court Room, Court House, Woodward, Oklahoma. At such time any interested person desiring to be heard may present his views either in person or by attorney.

Done at Washington, D. C., this 7th day of October 1952.

[SEAL] AGNES B. CLARKE,
Hearing Clerk.

[F. R. Doc. 52-10989; Filed, Oct. 9, 1952;
8:52 a. m.]

DEPARTMENT OF THE TREASURY

Bureau of Narcotics

[T. D. No. 46]

DISTRICT SUPERVISORS AND AGENTS

DELEGATION OF FUNCTIONS

The Secretary of the Treasury, by Treasury Department Order No. 157,¹ transferred to the Commissioner of Narcotics the functions relating to notice and demand to produce order forms for marihuana under section 2593 of the Internal Revenue Code (26 U. S. C. 2593) and authorized the delegation of such functions to subordinates of the Bureau of Narcotics. Accordingly, the Commissioner of Narcotics hereby delegates such functions to the district supervisors and agents of the Bureau of Narcotics.

This delegation of functions shall take effect upon publication in the FEDERAL REGISTER.

[SEAL] H. J. ANSLINGER,
Commissioner of Narcotics.

Approved: October 1, 1952.

E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-10956; Filed, Oct. 9, 1952;
8:46 a. m.]

Office of the Secretary

[Treasury Department Order No. 157]

COMMISSIONER OF CUSTOMS AND COMMISSIONER OF NARCOTICS

DELEGATION OF FUNCTIONS

By virtue of the authority vested in me by Reorganization Plan No. 26 of 1950, there are hereby transferred to the Commissioner of Customs and the Com-

missioner of Narcotics, to be exercised by either of them separately, the functions relating to notice and demand to produce order forms for marihuana under section 2593 of the Internal Revenue Code.

The functions herein transferred may be delegated by the Commissioner of Customs and the Commissioner of Narcotics to subordinates in their respective bureaus.

Dated: October 1, 1952.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-10955; Filed, Oct. 9, 1952;
8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

SOUTH DAKOTA

ORDER ADJUSTING BOUNDARIES OF BADLANDS NATIONAL MONUMENT, S. DAK., AND TRANSFERRING CERTAIN LANDS ELIMINATED THEREFROM TO THE DEPARTMENT OF AGRICULTURE

Pursuant to authority contained in the act of May 7, 1952 (Pub. Law 328, 82d Cong., 2d Sess.): *It is ordered:*

Subject to valid existing rights, the exterior boundaries of Badlands National Monument in the Counties of Pennington, Jackson, and Washington, State of South Dakota, are hereby adjusted to encompass the following described lands:

BLACK HILLS MERIDIAN, SOUTH DAKOTA

- T. 1 S., R. 14 E.,
Sec. 34, S $\frac{1}{2}$ and S $\frac{1}{2}$ N $\frac{1}{2}$,
Sec. 35, S $\frac{1}{2}$ and S $\frac{1}{2}$ N $\frac{1}{2}$,
Sec. 36, S $\frac{1}{2}$ and S $\frac{1}{2}$ N $\frac{1}{2}$.
T. 1 S., R. 15 E.,
Sec. 31, All,
Sec. 32, All,
Sec. 33, S $\frac{1}{2}$,
Sec. 34, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 2 S., R. 14 E.,
Secs. 1 to 3, inclusive: All,
Secs. 10 to 15, inclusive: All,
Sec. 16, E $\frac{1}{2}$,
Sec. 21, E $\frac{1}{2}$,
Secs. 22 to 27, inclusive: All,
Sec. 28, E $\frac{1}{2}$,
Sec. 33, E $\frac{1}{2}$,
Secs. 34 to 36, inclusive: All.
T. 2 S., R. 15 E.,
Sec. 1, SW $\frac{1}{4}$,
Secs. 2 to 36, inclusive: All.
T. 2 S., R. 16 E.,
Sec. 7, Lots 3 and 4, SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 8, S $\frac{1}{2}$,
Secs. 16 to 22, inclusive: All,
Sec. 23, S $\frac{1}{2}$,
Secs. 26 to 35, inclusive: All.
T. 3 S., R. 13 E.,
Sec. 13, All,
Sec. 23, S $\frac{1}{2}$,
Sec. 24, All,
Secs. 25 and 26,
Secs. 31 to 36, inclusive.
T. 3 S., R. 14 E.,
Secs. 1 to 3, inclusive,
Sec. 4, Lots 1 and 2, SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 9, E $\frac{1}{2}$,
Secs. 10 to 20, inclusive,
Sec. 21, N $\frac{1}{2}$,
Sec. 22, N $\frac{1}{2}$ and SE $\frac{1}{4}$,
Secs. 23 to 26, inclusive,
Sec. 27, E $\frac{1}{2}$,
Secs. 29 and 30,
Sec. 31, Lots 1 and 2, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.

- T. 3 S., R. 15 E.,
Secs. 3 to 10, inclusive: All,
Sec. 11, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Secs. 15 to 20, inclusive: All.
T. 3 S., R. 16 E.,
Secs. 1 and 2: All,
Sec. 3, Lots 1, 2, 3, and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and SE $\frac{1}{4}$,
Sec. 11, N $\frac{1}{2}$ and SE $\frac{1}{4}$,
Secs. 12 and 13: All,
Sec. 24, All.
T. 3 S., R. 17 E.,
Sec. 6, Lots 6 and 7 and E $\frac{1}{2}$ SW $\frac{1}{4}$,
Secs. 7 to 24, inclusive: All,
Sec. 27, NW $\frac{1}{4}$,
Sec. 28, N $\frac{1}{2}$,
T. 3 S., R. 18 E.,
Secs. 13 to 30, inclusive,
Sec. 32, N $\frac{1}{2}$,
Sec. 33, N $\frac{1}{2}$,
Sec. 34, N $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 35, N $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 36, N $\frac{1}{2}$.
T. 3 S., R. 19 E.,
Secs. 18, 19 and 30: All,
Sec. 31, Lots 1 and 2, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 4 S., R. 13 E.,
Sec. 2, W $\frac{1}{2}$,
Secs. 3 to 10, inclusive: All,
Sec. 11, W $\frac{1}{2}$,
Secs. 15 to 18, inclusive: All,
Secs. 19 to 22, all fractional, inclusive: All.
T. 4 S., R. 18 E.,
Sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

SIXTH PRINCIPAL MERIDIAN, SOUTH DAKOTA

- T. 43 N., R. 44 W.,
Sec. 21, fractional, All.

Containing 121,883.12 acres, more or less.

Subject to valid existing rights, administrative jurisdiction over the herein-after described lands, eliminated from the Monument boundaries, in the Counties of Pennington and Jackson, State of South Dakota, is hereby transferred from the Department of the Interior to the Department of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525; 7 U. S. C., 1946 ed., secs. 1010-1013), and the related provisions of Title IV thereof:

BLACK HILLS MERIDIAN, SOUTH DAKOTA

- T. 2 S., R. 14 E.,
Sec. 33, W $\frac{1}{2}$,
T. 2 S., R. 16 E.,
Secs. 14 and 15: All,
Sec. 23, N $\frac{1}{2}$,
T. 3 S., R. 13 E.,
Sec. 12, S $\frac{1}{2}$,
T. 3 S., R. 14 E.,
Sec. 4, Lots 3 and 4, SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 7, Lots 3 and 4, SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 8, S $\frac{1}{2}$,
Sec. 9, W $\frac{1}{2}$,
Sec. 22, SW $\frac{1}{4}$,
Sec. 27, W $\frac{1}{2}$,
Secs. 35 and 36: All.
T. 3 S., R. 15 E.,
Secs. 1 and 2: All,
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 14, W $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 21, All,
Sec. 22, W $\frac{1}{2}$,
Sec. 27, W $\frac{1}{2}$,
Secs. 28 to 33, inclusive: All,
Sec. 34, W $\frac{1}{2}$,
T. 3 S., R. 17 E.,
Secs. 25 and 26: All,
Sec. 27, E $\frac{1}{2}$ and SW $\frac{1}{4}$,
Sec. 28, S $\frac{1}{2}$,
Sec. 29, All,
Secs. 32 to 36, inclusive: All.
T. 3 S., R. 19 E.,
Secs. 16 and 17: All,
Secs. 20 and 21: All,
Secs. 28 and 29: All,

¹ See F. R. Doc. 52-10955, Office of the Secretary, *infra*.

Sec. 32, N $\frac{1}{2}$.
 Sec. 33, N $\frac{1}{2}$.
 T. 4 S., R. 17 E.,
 Secs. 1 to 5, inclusive: All,
 Sec. 8, fractional, All,
 Secs. 9 to 11, inclusive: All,
 Sec. 12, fractional, All,
 Sec. 13, fractional, All,
 Sec. 14, fractional, All,
 Sec. 15, fractional, All,
 Sec. 16, fractional, All,
 Sec. 17, fractional, All,
 Sec. 20, fractional, All,
 Sec. 21, fractional, All,
 Sec. 22, fractional, All,
 Sec. 23, fractional, All.

Containing 30,802.52 acres, more or less.

Dated: October 3, 1952.

JOEL D. WOLFSON,
Assistant Secretary of the Interior.

[P. R. Doc. 52-10964; Filed, Oct. 9, 1952;
 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1556]

SOUTHERN CALIFORNIA GAS CO.

ORDER GRANTING APPLICATION FOR
 REHEARING

OCTOBER 2, 1952.

On September 4, 1952, Southern California Gas Company filed its application for a rehearing of the Commission's order issued August 6, 1952, denying the Company's application for authority to transfer \$3,000,000 from the reserve for possible tax deficiencies to earned surplus and authorizing the Company to transfer such amount to Account 258, Other Reserves. The Company's application also asks that the Commission stay its order issued August 6, 1952, pending rehearing and review.

As stated in the previous order the application to transfer the sum of \$3,000,000 from the reserve for possible tax deficiencies to earned surplus was filed in the form of a letter dated April 18, 1952. Upon the basis of such letter application the Commission issued its order on August 6, 1952, without a hearing.

The Commission's order issued August 6, 1952, while it denies the Company's application to make the transfer to surplus and authorizes the transfer to Account 258, does not require action on the part of the Company, and therefore it does not appear necessary in order to maintain the status quo to stay such order pending rehearing or review.

The Commission finds:

(1) Good cause exists for granting rehearing of the Commission's order issued August 6, 1952, to make the determinations set forth in (A) below.

(2) No good cause has been shown for staying the order issued August 6, 1952, pending rehearing or review.

The Commission orders:

(A) Rehearing of the Commission's order issued August 6, 1952, be and it hereby is granted to determine whether Southern California Gas Company's application to transfer \$3,000,000 from the reserve for possible tax deficiencies to earned surplus shall be authorized, and, if not, the proper accounting for such amount.

(B) A hearing shall be held at a time and place to be fixed hereafter by Commission order.

(C) Stay of the Commission's order of August 6, 1952, pending rehearing or review be and it hereby is denied.

Date of issuance: October 6, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[P. R. Doc. 52-10977; Filed, Oct. 9, 1952;
 8:47 a. m.]

[Docket No. G-1786]

OHIO FUEL GAS CO.

ORDER FIXING DATE OF HEARING

OCTOBER 2, 1952.

On August 10, 1951, the Ohio Fuel Gas Company (Ohio Fuel) filed with the Commission a proposed tariff, designated "FPC Gas Tariff, First Revised Volume No. 1, of the Ohio Fuel Gas Company," increasing the then effective rates and charges to Ohio Fuel's interstate wholesale customers. On September 6, 1951, pending a hearing and the Commission's decision upon the question of the lawfulness of the proposed rates, the Commission issued an order suspending such proposed tariff until February 10, 1952, and until such further time thereafter as the same might be made effective in the manner prescribed by the Natural Gas Act.

By order issued February 8, 1952, upon the application of Ohio Fuel, the Commission permitted the substitution of a proposed First Revised Sheet No. 6 to said FPC Gas Tariff, First Revised Volume No. 1, superseding Original Sheet No. 6 contained in said FPC Gas Tariff, First Revised Volume No. 1, and suspended such revised sheet until February 10, 1952, and until such further time thereafter as the same might be made effective in the manner prescribed by the Natural Gas Act.

By order issued February 26, 1952, the increased rate tariff became effective, under bond, subject to the refund of any portion of the increased rates and charges found by the Commission not to be justified.

The Commission finds: It is necessary and appropriate to carry out the provisions of the Natural Gas Act, and it is in the public interest, that these proceedings be set for hearing and that the procedure hereinafter prescribed shall be followed at such hearing.

The Commission orders:

(A) A public hearing be held commencing on November 17, 1952, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the rates, charges and classifications contained in the aforesaid FPC Gas Tariff, First Revised Volume No. 1 and First Revised Sheet No. 6 to said FPC Gas Tariff, First Revised Volume No. 1, filed by the Ohio Fuel Gas Company.

(B) The order of procedure at the public hearing referred to in paragraph (A) hereof shall be:

(i) Pursuant to the provisions of section 4 (e) of the Natural Gas Act, Ohio Fuel shall go forward with the burden of proof imposed upon it, presenting its justification with respect to the issues referred to in paragraph (A) hereof;

(ii) After Ohio Fuel has so presented its justification, other parties and participants, including Commission staff counsel, may conduct as much of their cross-examination with respect to Ohio Fuel's justification as they are then prepared to undertake. Thereupon, if request therefor is made, the Presiding Examiner shall recess the hearing to a date to be fixed by further order of the Commission, in order to permit such preparation for the remainder of such cross-examination as the facts and circumstances may warrant.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: October 6, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[P. R. Doc. 52-10978; Filed, Oct. 9, 1952;
 8:47 a. m.]

[Docket Nos. G-1903, G-2042]

LOPENO GAS CO.

ORDER FIXING DATE OF HEARING

OCTOBER 3, 1952.

On September 5, 1952, Lopeno Gas Company (Applicant), a Texas corporation having its principal place of business at Dallas, Texas, filed an application in Docket No. G-2042, for an order pursuant to section 7 (b) of the Natural Gas Act authorizing and approving the abandonment of a portion of its facilities, and in Docket No. G-1903, for amendment of a Presidential Permit granted on July 18, 1952, pursuant to Executive Order No. 8202, dated July 13, 1939, authorizing the construction, operation, maintenance, and connection of facilities for the importation of natural gas from the United States into Mexico, all as more fully described in said application on file with the Commission and open to public inspection.

Applicant proposes to abandon a portion of the facilities authorized by order of the Commission issued on August 4, 1952, in Docket No. G-1977, consisting of two parallel 8-inch pipe lines supported from the International Bridge between the United States and Mexico, at Roma, Texas. Applicant has represented to the Commission that said pipe lines are not required for the service proposed in its application filed in Docket No. G-1977, and that the Starr County Bridge Company has requested the removal of said lines on account of the additional weight imposed thereby upon the cables of said bridge. Applicant further represents that it has contracted for immediate removal of said lines, and that Compania Mexicana de Gas, S. A., which owns connecting 8-inch pipe lines on the Mexican

side of said bridge proposes to remove its portion of the lines contemporaneously with removal by Applicant of its lines.

Applicant has requested that its application in Docket No. G-2042 be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure [18 CFR 1.32 (b)] for noncontested proceedings, and this proceeding is a proper one for disposition under the aforementioned rule, provided no request to be heard, protest, or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on September 19, 1952 (17 F. R. 8443).

The Commission finds: It is reasonable and in the public interest, and good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and Commission's rules of practice and procedure, a hearing be held on October 13, 1952, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by said application: *Provided, however*, That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) [18 CFR 1.8 and 1.37 (f)] of the said rules of practice and procedure.

Date of issuance: October 6, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. D. Doc. 52-10980; Filed, Oct. 9, 1952;
8:47 a. m.]

[Docket No. G-2068]

TEXAS GAS TRANSMISSION CORP.

NOTICE OF APPLICATION

OCTOBER 6, 1952.

Take notice that Texas Gas Transmission Corporation (Applicant), a Delaware corporation, having its principal place of business at 416 West Third Street, Owensboro, Kentucky, filed on September 12, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas facilities and the sale of natural gas for resale as hereinafter described.

Applicant proposes to construct and operate a metering station on its pipe line now serving Boonville, Indiana, for the purpose of selling natural gas to Boonville Natural Gas Corporation for resale in the unincorporated town of Chandler, Warwick County, Indiana, and

environs, in quantities not to exceed 200 Mcf a day, with total annual sales for the 1953-54 season estimated at 17,900 Mcf. Applicant estimates the cost of the facilities at \$3,126, and proposes to accomplish the financing out of cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 24th day of October 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-10979; Filed, Oct. 9, 1952;
8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4,
Notification 58]

PLACEMENT OF PROCUREMENT WITH THE PETROLEUM AND PETROLEUM PRODUCTS INDUSTRY

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement with the petroleum and petroleum products industry. These recommendations have been reviewed within the Office of Defense Mobilization to determine their relationship to other policies affecting procurement for which this Office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to exempt the petroleum and petroleum products industry from the application of Defense Manpower Policy No. 4.

OFFICE OF DEFENSE
MOBILIZATION,
HENRY H. FOWLER,
Director.

FINDINGS AND RECOMMENDATION OF THE SUR- PLUS MANPOWER COMMITTEE CONCERNING THE PETROLEUM AND PETROLEUM PRODUCTS INDUSTRY UNDER DEFENSE MANPOWER POLICY NO. 4

In accordance with Section III, Paragraph 8 of Defense Manpower Policy No. 4, a Notice was published in the FEDERAL REGISTER of September 10, 1952 (17 F. R. 8165), that the Surplus Manpower Committee proposed to recommend to the Director of Defense Mobilization that the petroleum and petroleum products industry be exempted from the application of Defense Manpower Policy No. 4. Inasmuch as no objections have been received, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That all purchases of petroleum and petroleum products for the Department of Defense are made by the Armed Services Petroleum Purchasing Agency;

2. That presently notified surplus labor areas are in locations where refining capacity is inadequate for supply of local requirements or where no refining facilities exist and that placement of additional Government contracts in these areas would not change the status of employment but would necessitate further importation of finished products from refineries located in other than surplus labor areas to offset the quantities supplied to the Government;

3. That requests for proposals for petroleum and petroleum products have repeatedly been forwarded by the Armed Services Petroleum Purchasing Agency to possible contractors in notified surplus labor areas, and in no case has a proposal been received or an award been made under the provisions of Defense Manpower Policy No. 4.

4. That the administrative burden and cost involved in the implementation of Defense Manpower Policy No. 4 so far as procurement of petroleum and petroleum products is concerned cannot be justified in view of the negative results obtained.

RECOMMENDATION

The Committee therefore recommends that the Director of Defense Mobilization conclude that it is in the public interest to exempt the petroleum and petroleum products industry from the application of Defense Manpower Policy No. 4, and that the Director so notify the Secretary of Defense and the Administrator of General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMING,
Chairman,
Surplus Manpower Committee.

Approved:

HENRY H. FOWLER,
Director,
Office of Defense Mobilization.

[F. R. Doc. 52-11025; Filed, Oct. 8, 1952;
4:04 p. m.]

ECONOMIC STABILIZATION AGENCY

Office of the Administrator

[Determination No. 142]

NEW CASTLE, PENNSYLVANIA, CRITICAL
DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

SECTION 1. *Authority.* This action is taken pursuant to the authority conferred by the Housing and Rent Act of 1947, as amended (Pub. Law 129, 80th Cong., as amended by Pub. Laws 422 and 464, 80th Cong., Pub. Laws 31, 574 and 880, 81st Cong.; and Pub. Laws 8, 69, and 96, 82d Cong.); and more particularly section 204 (m) of Public Law 96; and the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong.; as amended by Pub. Law 96, 82d Cong.); and Executive Order 10161 of September 9, 1950 and Executive Order 10276 of July 31, 1951; and as implemented by Economic Stabilization Agency Order No. 9 of July 31, 1951.

SEC. 2. *Determination.* In view of the joint determination and certification by the Acting Secretary of Defense and the Director of Defense Mobilization, dated October 3, 1952, that the New Castle, Pennsylvania, area (the area consists of Lawrence County; and that portion of the borough of Ellwood City located

within Beaver County; all in Pennsylvania) is a critical defense housing area, and in view of the suspension of Regulation X on September 16, 1952, by the Board of Governors of the Federal Reserve System and announcement of a period of residential credit control relaxation by such Board, with the concurrence of the Housing and Home Finance Administrator, effective on that same date (17 F. R. 8350), it is hereby determined, after due consideration of relevant factors, that real estate construction credit controls have been relaxed in the New Castle, Pennsylvania, critical defense housing area to the extent necessary to encourage construction of housing for defense workers and military personnel.

ROSS S. SHEARER,
Acting Administrator.

OCTOBER 3, 1952.

[F. R. Doc. 52-10965; Filed, Oct. 9, 1952;
8:46 a. m.]

[Determination No. 143]

CASPER, WYOMING, CRITICAL DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

SECTION 1. Authority. This action is taken pursuant to the authority conferred by the Housing and Rent Act of 1947, as amended (Pub. Law. 129, 80th Cong., as amended by Pub. Laws 422 and 464, 80th Cong., Pub. Laws 31, 574 and 880, 81st Cong.; and Pub. Laws 8, 69 and 96, 82d Cong.); and more particularly section 204 (m) of Public Law 96; and the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong.; as amended by Pub. Law 96, 82d Cong.); and Executive Order 10161 of September 9, 1950 and Executive Order 10276 of July 31, 1951; and as implemented by Economic Stabilization Agency Order No. 9 of July 31, 1951.

Sec. 2. Determination. In view of the joint determination and certification by the Acting Secretary of Defense and the Director of Defense Mobilization, dated October 3, 1952, that the Casper, Wyoming, area (this area consists of all of Natrona County, Wyoming) is a critical defense housing area, and in view of the suspension of Regulation X on September 16, 1952, by the Board of Governors of the Federal Reserve System and announcement of a period of residential credit control relaxation by such Board, with the concurrence of the Housing and Home Finance Administrator, effective on that same date (17 F. R. 8350), it is hereby determined, after due consideration of relevant factors, that real estate construction credit controls have been relaxed in the Casper, Wyoming, critical defense housing area to the extent necessary to encourage construction of hous-

ing for defense workers and military personnel.

ROSS S. SHEARER,
Acting Administrator.

OCTOBER 3, 1952.

[F. R. Doc. 52-10966; Filed, Oct. 9, 1952;
8:46 a. m.]

Office of Price Stabilization

REGIONS I, V, VII, AND X

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24, were filed with the Division of the Federal Register on October 1, 1952.

REGION I

Hartford Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Hartford Area, filed 3:53 p. m.

Hartford Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Hartford Area, filed 3:54 p. m.

Hartford Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Hartford Area, filed 3:54 p. m.

Hartford Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Hartford Area, filed 3:54 p. m.

Boston Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in certain Eastern Massachusetts areas, filed 3:52 p. m.

Boston Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in certain Eastern Massachusetts areas, filed 3:52 p. m.

Boston Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in certain Eastern Massachusetts areas, filed 3:52 p. m.

Boston Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in certain Eastern Massachusetts areas, filed 3:53 p. m.

REGION V

Atlanta Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Atlanta Area, filed 3:54 p. m.

Atlanta Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Atlanta Area, filed 3:55 p. m.

Atlanta Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Atlanta Area, filed 3:55 p. m.

Atlanta Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Atlanta Area, filed 3:55 p. m.

Atlanta Order 1-G4A-1, covering retail prices for certain dry grocery items sold by retailers in the Atlanta Area, filed 3:56 p. m.

Columbia Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Columbia Area, filed 3:56 p. m.

Columbia Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Columbia Area, filed 3:56 p. m.

Columbia Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Columbia Area, filed 3:56 p. m.

Columbia Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Columbia Area, filed 3:56 p. m.

Jackson Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Jackson Area, filed 3:57 p. m.

Jackson Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Jackson Area, filed 3:57 p. m.

Jackson Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Jackson Area, filed 3:58 p. m.

Jackson Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Jackson Area, filed 3:58 p. m.

Montgomery Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:58 p. m.

Montgomery Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:58 p. m.

Montgomery Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:59 p. m.

Montgomery Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:59 p. m.

Montgomery Order 1-G4A-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:59 p. m.

Montgomery Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:59 p. m.

Montgomery Order 1-G4A-1, covering retail prices for certain dry grocery items sold by retailers in the Montgomery Area, filed 3:59 p. m.

Nashville Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Nashville Area, filed 4:00 p. m.

Nashville Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Nashville Area, filed 4:00 p. m.

Nashville Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Nashville Area, filed 4:00 p. m.

Nashville Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Nashville Area, filed 4:01 p. m.

Nashville Order 1-G4A-1, covering retail prices for certain dry grocery items sold by retailers in the Nashville Area, filed 4:01 p. m.

REGION VII

Chicago Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Chicago Area, filed 4:02 p. m.

Chicago Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Chicago Area, filed 4:02 p. m.

Chicago Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Chicago Area, filed 4:02 p. m.

REGION X

Dallas Order 1-G1-1, covering retail prices for certain dry grocery items sold by retailers in the Dallas Area, filed 4:03 p. m.

Dallas Order 1-G2-1, covering retail prices for certain dry grocery items sold by retailers in the Dallas Area, filed 4:03 p. m.

Dallas Order 1-G3-1, covering retail prices for certain dry grocery items sold by retailers in the Dallas Area, filed 4:03 p. m.

Dallas Order 1-G4-1, covering retail prices for certain dry grocery items sold by retailers in the Dallas Area, filed 4:03 p. m.

Dallas Order 1-G4A-1, covering retail prices for certain dry grocery items sold by retailers in the Dallas Area, filed 4:03 p. m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 52-10974; Filed, Oct. 7, 1952;
10:57 a. m.]